

In the Senate of the United States,

October 12 (legislative day, September 22), 2000.

Resolved, That the Senate agree to the amendments of the House of Representatives to the bill (S. 1402) entitled “An Act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.” with the following

SENATE AMENDMENTS TO HOUSE AMENDMENTS:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
3 *erans Benefits and Health Care Improvement Act of 2000”.*

1 (b) *TABLE OF CONTENTS.—The table of contents for*
 2 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

Sec. 101. Increase in rates of basic educational assistance under Montgomery GI Bill.

Sec. 102. Uniform requirement for high school diploma or equivalency before application for Montgomery GI Bill benefits.

Sec. 103. Repeal of requirement for initial obligated period of active duty as condition of eligibility for Montgomery GI Bill benefits.

Sec. 104. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.

Sec. 105. Increased active duty educational assistance benefit for contributing members.

Subtitle B—Survivors' and Dependents' Educational Assistance

Sec. 111. Increase in rates of survivors' and dependents' educational assistance.

Sec. 112. Election of certain recipients of commencement of period of eligibility for survivors' and dependents' educational assistance.

Sec. 113. Adjusted effective date for award of survivors' and dependents' educational assistance.

Sec. 114. Availability under survivors' and dependents' educational assistance of preparatory courses for college and graduate school entrance exams.

Subtitle C—General Educational Assistance

Sec. 121. Revision of educational assistance interval payment requirements.

Sec. 122. Availability of education benefits for payment for licensing or certification tests.

Sec. 123. Increase for fiscal years 2001 and 2002 in aggregate annual amount available for State approving agencies for administrative expenses.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

Sec. 201. Annual national pay comparability adjustment for nurses employed by Department of Veterans Affairs.

Sec. 202. Special pay for dentists.

Sec. 203. Exemption for pharmacists from ceiling on special salary rates.

Sec. 204. Temporary full-time appointments of certain medical personnel.

Sec. 205. Qualifications of social workers.

Sec. 206. Physician assistant adviser to Under Secretary for Health.

Sec. 207. Extension of voluntary separation incentive payments.

Subtitle B—Military Service Issues

- Sec. 211. Findings and sense of Congress concerning use of military histories of veterans in Department of Veterans Affairs health care.*
- Sec. 212. Study of post-traumatic stress disorder in Vietnam veterans.*

Subtitle C—Medical Administration

- Sec. 221. Department of Veterans Affairs Fisher Houses.*
- Sec. 222. Exception to recapture rule.*
- Sec. 223. Sense of Congress concerning cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of medical items.*
- Sec. 224. Technical and conforming changes.*

Subtitle D—Construction Authorization

- Sec. 231. Authorization of major medical facility projects.*
- Sec. 232. Authorization of appropriations.*

Subtitle E—Real Property Matters

- Sec. 241. Change to enhanced use lease congressional notification period.*
- Sec. 242. Release of reversionary interest of the United States in certain real property previously conveyed to the State of Tennessee.*
- Sec. 243. Demolition, environmental cleanup, and reversion of Department of Veterans Affairs Medical Center, Allen Park, Michigan.*
- Sec. 244. Conveyance of certain property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia.*
- Sec. 245. Land conveyance, Miles City Department of Veterans Affairs Medical Center complex, Miles City, Montana.*
- Sec. 246. Conveyance of Fort Lyon Department of Veterans Affairs Medical Center, Colorado, to the State of Colorado.*
- Sec. 247. Effect of closure of Fort Lyon Department of Veterans Affairs Medical Center on administration of health care for veterans.*

*TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS**Subtitle A—Compensation Program Changes*

- Sec. 301. Strokes and heart attacks incurred or aggravated by members of reserve components in the performance of duty while performing inactive duty training to be considered to be service-connected.*
- Sec. 302. Special monthly compensation for women veterans who lose a breast as a result of a service-connected disability.*
- Sec. 303. Benefits for persons disabled by participation in compensated work therapy program.*
- Sec. 304. Revision to limitation on payments of benefits to incompetent institutionalized veterans.*
- Sec. 305. Review of dose reconstruction program of the Defense Threat Reduction Agency.*

Subtitle B—Life Insurance Matters

- Sec. 311. Premiums for term Service Disabled Veterans' Insurance for veterans older than age 70.*

Sec. 312. Increase in automatic maximum coverage under Servicemembers' Group Life Insurance and Veterans' Group Life Insurance.

Sec. 313. Eligibility of certain members of the Individual Ready Reserve for Servicemembers' Group Life Insurance.

Subtitle C—Housing and Employment Programs

Sec. 321. Elimination of reduction in assistance for specially adapted housing for disabled veterans for veterans having joint ownership of housing units.

Sec. 322. Veterans employment emphasis under Federal contracts for recently separated veterans.

Sec. 323. Employers required to grant leave of absence for employees to participate in honor guards for funerals of veterans.

Subtitle D—Cemeteries and Memorial Affairs

Sec. 331. Eligibility for interment of certain Filipino veterans of World War II in national cemeteries.

Sec. 332. Payment rate of certain burial benefits for certain Filipino veterans of World War II.

Sec. 333. Plot allowance for burial in State veterans cemeteries.

TITLE IV—OTHER MATTERS

Sec. 401. Benefits for the children of women Vietnam veterans who suffer from certain birth defects.

Sec. 402. Extension of certain expiring authorities.

Sec. 403. Preservation of certain reporting requirements.

Sec. 404. Technical amendments.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 *Except as otherwise expressly provided, whenever in*
 3 *this Act an amendment or repeal is expressed in terms of*
 4 *an amendment to, or repeal of, a section or other provision,*
 5 *the reference shall be considered to be made to a section or*
 6 *other provision of title 38, United States Code.*

1 **TITLE I—EDUCATIONAL**
 2 **ASSISTANCE PROVISIONS**
 3 **Subtitle A—Montgomery GI Bill**
 4 **Educational Assistance**

5 **SEC. 101. INCREASE IN RATES OF BASIC EDUCATIONAL AS-**
 6 **SISTANCE UNDER MONTGOMERY GI BILL.**

7 (a) *ACTIVE DUTY EDUCATIONAL ASSISTANCE.*—*Sec-*
 8 *tion 3015 is amended—*

9 (1) *in subsection (a)(1), by striking “\$528” and*
 10 *inserting “\$650”; and*

11 (2) *in subsection (b)(1), by striking “\$429” and*
 12 *inserting “\$528”.*

13 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
 14 *section (a) shall take effect on November 1, 2000, and shall*
 15 *apply with respect to educational assistance allowances*
 16 *paid under chapter 30 of title 38, United States Code, for*
 17 *months after October 2000.*

18 **SEC. 102. UNIFORM REQUIREMENT FOR HIGH SCHOOL DI-**
 19 **PLOMA OR EQUIVALENCY BEFORE APPLICA-**
 20 **TION FOR MONTGOMERY GI BILL BENEFITS.**

21 (a) *ACTIVE DUTY PROGRAM.*—(1) *Section 3011 is*
 22 *amended—*

23 (A) *in subsection (a), by striking paragraph (2)*
 24 *and inserting the following new paragraph (2):*

1 “(2) who completes the requirements of a sec-
 2 ondary school diploma (or equivalency certificate), or
 3 successfully completes (or otherwise receives academic
 4 credit for) the equivalent of 12 semester hours in a
 5 program of education leading to a standard college
 6 degree, before applying for benefits under this section;
 7 and”;

8 (B) by striking subsection (e).

9 (2) Section 3017(a)(1)(A)(ii) is amended by striking
 10 “clause (2)(A)” and inserting “clause (2)”.

11 (b) *SELECTED RESERVE PROGRAM*.—Section 3012 is
 12 amended—

13 (1) in subsection (a), by striking paragraph (2)
 14 and inserting the following new paragraph (2):

15 “(2) who completes the requirements of a sec-
 16 ondary school diploma (or equivalency certificate), or
 17 successfully completes (or otherwise receives academic
 18 credit for) the equivalent of 12 semester hours in a
 19 program of education leading to a standard college
 20 degree, before applying for benefits under this section;
 21 and”;

22 (2) by striking subsection (f).

23 (c) *WITHDRAWAL OF ELECTION NOT TO ENROLL*.—
 24 Paragraph (4) of section 3018(b) is amended to read as fol-
 25 lows:

1 “(4) before applying for benefits under this
2 section—

3 “(A) completes the requirements of a sec-
4 ondary school diploma (or equivalency certifi-
5 cate); or

6 “(B) successfully completes (or otherwise re-
7 ceives academic credit for) the equivalent of 12
8 semester hours in a program of education lead-
9 ing to a standard college degree; and”.

10 (d) *EDUCATIONAL ASSISTANCE PROGRAM FOR MEM-*
11 *BERS OF SELECTED RESERVE.*—Paragraph (2) of section
12 16132(a) of title 10, United States Code, is amended to read
13 as follows:

14 “(2) before applying for benefits under this sec-
15 tion, has completed the requirements of a secondary
16 school diploma (or an equivalency certificate);”.

17 (e) *DELIMITING PERIOD.*—(1) In the case of an indi-
18 vidual described in paragraph (2), with respect to the time
19 limitation under section 3031 of title 38, United States
20 Code, for use of eligibility and entitlement of basic edu-
21 cational assistance under chapter 30 of such title, the 10-
22 year period applicable under such section shall begin on
23 the later of—

24 (A) the date of the enactment of this Act; or

1 (B) the date of the individual’s last discharge or
2 release from active duty.

3 (2) An individual referred to in paragraph (1) is an
4 individual who—

5 (A) before the date of the enactment of this Act,
6 was not eligible for such basic educational assistance
7 by reason of the requirement of a secondary school di-
8 ploma (or equivalency certificate) as a condition of
9 eligibility for such assistance as in effect on the date
10 preceding the date of the enactment of this Act; and

11 (B) becomes entitled to basic educational assist-
12 ance under section 3011(a)(2), 3012(a)(2), or
13 3018(b)(4) of title 38, United States Code, by reason
14 of the amendments made by this section.

15 **SEC. 103. REPEAL OF REQUIREMENT FOR INITIAL OBLI-**
16 **GATED PERIOD OF ACTIVE DUTY AS CONDI-**
17 **TION OF ELIGIBILITY FOR MONTGOMERY GI**
18 **BILL BENEFITS.**

19 (a) *ACTIVE DUTY PROGRAM.*—Section 3011 is
20 amended—

21 (1) in subsection (a)(1)(A)—

22 (A) by striking clause (i) and inserting the
23 following new clause (i):

24 “(i) who serves an obligated period of
25 active duty of at least two years of contin-

1 uous active duty in the Armed Forces; or”;

2 and

3 (B) in clause (ii)(II), by striking “in the
4 case of an individual who completed not less
5 than 20 months” and all that follows through
6 “was at least three years” and inserting “if, in
7 the case of an individual with an obligated pe-
8 riod of service of two years, the individual com-
9 pletes not less than 20 months of continuous ac-
10 tive duty under that period of obligated service,
11 or, in the case of an individual with an obli-
12 gated period of service of at least three years, the
13 individual completes not less than 30 months of
14 continuous active duty under that period of obli-
15 gated service”;

16 (2) in subsection (d)(1), by striking “individ-
17 ual’s initial obligated period of active duty” and in-
18 serting “obligated period of active duty on which an
19 individual’s entitlement to assistance under this sec-
20 tion is based”;

21 (3) in subsection (h)(2)(A), by striking “during
22 an initial period of active duty,” and inserting “dur-
23 ing the obligated period of active duty on which enti-
24 tlement to assistance under this section is based,”;
25 and

1 (4) *in subsection (i), by striking “initial”.*

2 (b) *SELECTED RESERVE PROGRAM.—Section 3012 is*
3 *amended—*

4 (1) *in subsection (a)(1)(A)(i), by striking “, as*
5 *the individual’s” and all that follows through “Armed*
6 *Forces” and inserting “an obligated period of active*
7 *duty of at least two years of continuous active duty*
8 *in the Armed Forces”; and*

9 (2) *in subsection (e)(1), by striking “initial”.*

10 (c) *DURATION OF ASSISTANCE.—Section 3013 is*
11 *amended—*

12 (1) *in subsection (a)(2), by striking “individ-*
13 *ual’s initial obligated period of active duty” and in-*
14 *serting “obligated period of active duty on which such*
15 *entitlement is based”; and*

16 (2) *in subsection (b)(1), by striking “individual’s*
17 *initial obligated period of active duty” and inserting*
18 *“obligated period of active duty on which such entitle-*
19 *ment is based”.*

20 (d) *AMOUNT OF ASSISTANCE.—Section 3015 is*
21 *amended—*

22 (1) *in the second sentence of subsection (a), by*
23 *inserting before “a basic educational assistance allow-*
24 *ance” the following: “in the case of an individual en-*
25 *titled to an educational assistance allowance under*

1 *this chapter whose obligated period of active duty on*
 2 *which such entitlement is based is three years,”;*

3 (2) *in subsection (b), by striking “and whose ini-*
 4 *tial obligated period of active duty is two years,” and*
 5 *inserting “whose obligated period of active duty on*
 6 *which such entitlement is based is two years,”; and*

7 (3) *in subsection (c)(2), by striking subpara-*
 8 *graphs (A) and (B) and inserting the following new*
 9 *subparagraphs (A) and (B):*

10 “(A) *whose obligated period of active duty on*
 11 *which such entitlement is based is less than three*
 12 *years;*

13 “(B) *who, beginning on the date of the com-*
 14 *mencement of such obligated period of active duty,*
 15 *serves a continuous period of active duty of not less*
 16 *than three years; and”.*

17 (e) *DELIMITING PERIOD.—(1) In the case of an indi-*
 18 *vidual described in paragraph (2), with respect to the time*
 19 *limitation under section 3031 of title 38, United States*
 20 *Code, for use of eligibility and entitlement of basic edu-*
 21 *cational assistance under chapter 30 of such title, the 10-*
 22 *year period applicable under such section shall begin on*
 23 *the later of—*

24 (A) *the date of the enactment of this Act; or*

1 (B) the date of the individual's last discharge or
2 release from active duty.

3 (2) An individual referred to in paragraph (1) is an
4 individual who—

5 (A) before the date of the enactment of this Act,
6 was not eligible for basic educational assistance under
7 chapter 30 of such title by reason of the requirement
8 of an initial obligated period of active duty as condi-
9 tion of eligibility for such assistance as in effect on
10 the date preceding the date of the enactment of this
11 Act; and

12 (B) on or after such date becomes eligible for
13 such assistance by reason of the amendments made by
14 this section.

15 **SEC. 104. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP**
16 **PARTICIPANTS TO ENROLL IN BASIC EDU-**
17 **CATIONAL ASSISTANCE UNDER MONT-**
18 **GOMERY GI BILL.**

19 (a) *SPECIAL ENROLLMENT PERIOD.*—Section 3018C
20 is amended by adding at the end the following new sub-
21 section:

22 “(e)(1) A qualified individual (described in paragraph
23 (2)) may make an irrevocable election under this subsection,
24 during the one-year period beginning on the date of the en-
25 actment of this subsection, to become entitled to basic edu-

1 *cational assistance under this chapter. Such an election*
2 *shall be made in the same manner as elections made under*
3 *subsection (a)(5).*

4 “(2) *A qualified individual referred to in paragraph*
5 *(1) is an individual who meets each of the following require-*
6 *ments:*

7 “(A) *The individual was a participant in the*
8 *educational benefits program under chapter 32 of this*
9 *title on or before October 9, 1996.*

10 “(B) *The individual has continuously served on*
11 *active duty since October 9, 1996 (excluding the peri-*
12 *ods referred to in section 3202(1)(C) of this title),*
13 *through at least April, 1, 2000.*

14 “(C) *The individual meets the requirements of*
15 *subsection (a)(3).*

16 “(D) *The individual, when discharged or re-*
17 *leased from active duty, is discharged or released*
18 *therefrom with an honorable discharge.*

19 “(3)(A) *Subject to the succeeding provisions of this*
20 *paragraph, with respect to a qualified individual who*
21 *makes an election under paragraph (1) to become entitled*
22 *to basic education assistance under this chapter—*

23 “(i) *the basic pay of the qualified individual*
24 *shall be reduced (in a manner determined by the Sec-*

1 retary concerned) until the total amount by which
2 such basic pay is reduced is \$2,700; and

3 “(i) to the extent that basic pay is not so re-
4 duced before the qualified individual’s discharge or re-
5 lease from active duty as specified in subsection
6 (a)(4), at the election of the qualified individual—

7 “(I) the Secretary concerned shall collect
8 from the qualified individual; or

9 “(II) the Secretary concerned shall reduce
10 the retired or retainer pay of the qualified indi-
11 vidual by,

12 an amount equal to the difference between \$2,700 and
13 the total amount of reductions under clause (i), which
14 shall be paid into the Treasury of the United States
15 as miscellaneous receipts.

16 “(B)(i) The Secretary concerned shall provide for an
17 18-month period, beginning on the date the qualified indi-
18 vidual makes an election under paragraph (1), for the
19 qualified individual to pay that Secretary the amount due
20 under subparagraph (A).

21 “(ii) Nothing in clause (i) shall be construed as modi-
22 fying the period of eligibility for and entitlement to basic
23 education assistance under this chapter applicable under
24 section 3031 of this title.

1 “(C) *The provisions of subsection (c) shall apply to*
2 *qualified individuals making elections under this subsection*
3 *in the same manner as they applied to individuals making*
4 *elections under subsection (a)(5).*

5 “(4) *With respect to qualified individuals referred to*
6 *in paragraph (3)(A)(ii), no amount of educational assist-*
7 *ance allowance under this chapter shall be paid to the quali-*
8 *fied individual until the earlier of the date on which—*

9 “(A) *the Secretary concerned collects the applica-*
10 *ble amount under subclause (I) of such paragraph; or*

11 “(B) *the retired or retainer pay of the qualified*
12 *individual is first reduced under subclause (II) of*
13 *such paragraph.*

14 “(5) *The Secretary, in conjunction with the Secretary*
15 *of Defense, shall provide for notice to participants in the*
16 *educational benefits program under chapter 32 of this title*
17 *of the opportunity under this subsection to elect to become*
18 *entitled to basic educational assistance under this chapter.”.*

19 (b) *CONFORMING AMENDMENT.—Section 3018C(b) is*
20 *amended by striking “subsection (a)” and inserting “sub-*
21 *section (a) or (e)”.*

22 (c) *COORDINATION PROVISIONS.—(1) If this Act is en-*
23 *acted before the provisions of the Floyd D. Spence National*
24 *Defense Authorization Act for Fiscal Year 2001 are enacted*
25 *into law, section 1601 of that Act, including the amend-*

1 ments made by that section, shall not take effect. If this
2 Act is enacted after the provisions of the Floyd D. Spence
3 National Defense Authorization Act for Fiscal Year 2001
4 are enacted into law, then as of the enactment of this Act,
5 the amendments made by section 1601 of that Act shall be
6 deemed for all purposes not to have taken effect and that
7 section shall cease to be in effect.

8 (2) If the Veterans Claims Assistance Act of 2000 is
9 enacted before the provisions of the Floyd D. Spence Na-
10 tional Defense Authorization Act for Fiscal Year 2001 are
11 enacted into law, section 1611 of the Floyd D. Spence Na-
12 tional Defense Authorization Act for Fiscal Year 2001, in-
13 cluding the amendments made by that section, shall not
14 take effect. If the Veterans Claims Assistance Act of 2000
15 is enacted after the provisions of the Floyd D. Spence Na-
16 tional Defense Authorization Act for Fiscal Year 2001 are
17 enacted into law, then as of the enactment of the Veterans
18 Claims Assistance Act of 2000, the amendments made by
19 section 1611 of the Floyd D. Spence National Defense Au-
20 thorization Act for Fiscal Year 2001 shall be deemed for
21 all purposes not to have taken effect and that section shall
22 cease to be in effect.

1 **SEC. 105. INCREASED ACTIVE DUTY EDUCATIONAL ASSIST-**
2 **ANCE BENEFIT FOR CONTRIBUTING MEM-**
3 **BERS.**

4 (a) *AUTHORITY TO MAKE CONTRIBUTIONS FOR IN-*
5 *CREASED ASSISTANCE AMOUNT.*—(1) *Section 3011, as*
6 *amended by section 102(a)(1)(B), is amended by inserting*
7 *after subsection (d) the following new subsection (e):*

8 “(e)(1) *Any individual eligible for educational assist-*
9 *ance under this section who does not make an election under*
10 *subsection (c)(1) may contribute amounts for purposes of*
11 *receiving an increased amount of basic educational assist-*
12 *ance as provided for under section 3015(g) of this title.*
13 *Such contributions shall be in addition to any reductions*
14 *in the basic pay of such individual under subsection (b).*

15 “(2) *An individual covered by paragraph (1) may*
16 *make the contributions authorized by that paragraph at*
17 *any time while on active duty.*

18 “(3) *The total amount of the contributions made by*
19 *an individual under paragraph (1) may not exceed \$600.*
20 *Such contributions shall be made in multiples of \$4.*

21 “(4) *Contributions under this subsection shall be made*
22 *to the Secretary. The Secretary shall deposit any amounts*
23 *received by the Secretary as contributions under this sub-*
24 *section into the Treasury as miscellaneous receipts.”*

1 (2) *Section 3012, as amended by section 102(b)(2), is*
 2 *amended by inserting after subsection (e) the following new*
 3 *subsection (f):*

4 “(f)(1) *Any individual eligible for educational assist-*
 5 *ance under this section who does not make an election under*
 6 *subsection (d)(1) may contribute amounts for purposes of*
 7 *receiving an increased amount of basic educational assist-*
 8 *ance as provided for under section 3015(g) of this title.*
 9 *Such contributions shall be in addition to any reductions*
 10 *in the basic pay of such individual under subsection (c).*

11 “(2) *An individual covered by paragraph (1) may*
 12 *make the contributions authorized by that paragraph at*
 13 *any time while on active duty.*

14 “(3) *The total amount of the contributions made by*
 15 *an individual under paragraph (1) may not exceed \$600.*
 16 *Such contributions shall be made in multiples of \$4.*

17 “(4) *Contributions under this subsection shall be made*
 18 *to the Secretary. The Secretary shall deposit any amounts*
 19 *received by the Secretary as contributions under this sub-*
 20 *section into the Treasury as miscellaneous receipts.”.*

21 (b) *INCREASED ASSISTANCE AMOUNT.—Section 3015*
 22 *is amended—*

23 (1) *by striking “subsection (g)” each place it ap-*
 24 *pears in subsections (a)(1) and (b)(1) and inserting*
 25 *“subsection (h)”;*

1 (2) by redesignating subsection (g) as subsection
2 (h); and

3 (3) by inserting after subsection (f) the following
4 new subsection (g):

5 “(g) In the case of an individual who has made con-
6 tributions authorized by section 3011(e) or 3012(f) of this
7 title, the monthly amount of basic educational assistance
8 allowance applicable to such individual under subsection
9 (a), (b), or (c) shall be the monthly rate otherwise provided
10 for under the applicable subsection increased by—

11 “(1) an amount equal to \$1 for each \$4 contrib-
12 uted by such individual under section 3011(e) or
13 3012(f), as the case may be, for an approved program
14 of education pursued on a full-time basis; or

15 “(2) an appropriately reduced amount based on
16 the amount so contributed, as determined under regu-
17 lations which the Secretary shall prescribe, for an ap-
18 proved program of education pursued on less than a
19 full-time basis.”.

20 (c) *EFFECTIVE DATE.*—The amendments made by this
21 section shall take effect on May 1, 2001.

22 (d) *TRANSITIONAL PROVISION FOR INDIVIDUALS DIS-*
23 *CHARGED BETWEEN ENACTMENT AND EFFECTIVE DATE.*—

24 (1) During the period beginning on May 1, 2001, and end-
25 ing on July 31, 2001, an individual described in paragraph

1 (2) may make contributions under section 3011(e) or
 2 3012(f) of title 38, United States Code (as added by sub-
 3 section (a)), whichever is applicable to that individual,
 4 without regard to paragraph (2) of that section and other-
 5 wise in the same manner as an individual eligible for edu-
 6 cational assistance under chapter 30 of such title who is
 7 on active duty.

8 (2) Paragraph (1) applies in the case of an individual
 9 who—

10 (A) is discharged or released from active duty
 11 during the period beginning on the date of the enact-
 12 ment of this Act and ending on April 30, 2001; and

13 (B) is eligible for educational assistance under
 14 chapter 30 of title 38, United States Code.

15 **Subtitle B—Survivors’ and Depend-**
 16 **ents’ Educational Assistance**

17 **SEC. 111. INCREASE IN RATES OF SURVIVORS’ AND DE-**
 18 **PENDENTS’ EDUCATIONAL ASSISTANCE.**

19 (a) **SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL AS-**
 20 **SISTANCE.**—Section 3532 is amended—

21 (1) in subsection (a)(1)—

22 (A) by striking “\$485” and inserting
 23 “\$588”;

24 (B) by striking “\$365” and inserting
 25 “\$441”; and

1 (C) by striking “\$242” and inserting
2 “\$294”;

3 (2) in subsection (a)(2), by striking “\$485” and
4 inserting “\$588”;

5 (3) in subsection (b), by striking “\$485” and in-
6 serting “\$588”; and

7 (4) in subsection (c)(2)—

8 (A) by striking “\$392” and inserting
9 “\$475”;

10 (B) by striking “\$294” and inserting
11 “\$356”; and

12 (C) by striking “\$196” and inserting
13 “\$238”.

14 (b) *CORRESPONDENCE COURSE*.—Section 3534(b) is
15 amended by striking “\$485” and inserting “\$588”.

16 (c) *SPECIAL RESTORATIVE TRAINING*.—Section
17 3542(a) is amended—

18 (1) by striking “\$485” and inserting “\$588”;

19 (2) by striking “\$152” each place it appears and
20 inserting “\$184”; and

21 (3) by striking “\$16.16” and all that follows and
22 inserting “such increased amount of allowance that is
23 equal to one-thirtieth of the full-time basic monthly
24 rate of special training allowance.”.

1 (d) *APPRENTICESHIP TRAINING.*—Section 3687(b)(2)

2 *is amended—*

3 (1) *by striking “\$353” and inserting “\$428”;*

4 (2) *by striking “\$264” and inserting “\$320”;*

5 (3) *by striking “\$175” and inserting “\$212”;*

6 *and*

7 (4) *by striking “\$88” and inserting “\$107”.*

8 (e) *EFFECTIVE DATE.*—The amendments made by sub-
9 sections (a) through (d) shall take effect on November 1,
10 2000, and shall apply with respect to educational assistance
11 allowances paid under chapter 35 of title 38, United States
12 Code, for months after October 2000.

13 (f) *ANNUAL ADJUSTMENTS TO AMOUNTS OF ASSIST-*
14 *ANCE.*—

15 (1) *CHAPTER 35.*—(A) *Subchapter VI of chapter*
16 *35 is amended by adding at the end the following new*
17 *section:*

18 **“§ 3564. Annual adjustment of amounts of educational**

19 **assistance**

20 *“With respect to any fiscal year, the Secretary shall*
21 *provide a percentage increase (rounded to the nearest dol-*
22 *lar) in the rates payable under sections 3532, 3534(b), and*
23 *3542(a) of this title equal to the percentage by which—*

24 *“(1) the Consumer Price Index (all items, United*
25 *States city average) for the 12-month period ending*

1 on the June 30 preceding the beginning of the fiscal
2 year for which the increase is made, exceeds

3 “(2) such Consumer Price Index for the 12-
4 month period preceding the 12-month period described
5 in paragraph (1).”.

6 (B) The table of sections at the beginning of
7 chapter 35 is amended by inserting after the item re-
8 lating to section 3563 the following new item:

“3564. Annual adjustment of amounts of educational assistance.”.

9 (2) CHAPTER 36.—Section 3687 is amended by
10 adding at the end the following new subsection:

11 “(d) With respect to any fiscal year, the Secretary
12 shall provide a percentage increase (rounded to the nearest
13 dollar) in the rates payable under subsection (b)(2) equal
14 to the percentage by which—

15 “(1) the Consumer Price Index (all items, United
16 States city average) for the 12-month period ending
17 on the June 30 preceding the beginning of the fiscal
18 year for which the increase is made, exceeds

19 “(2) such Consumer Price Index for the 12-
20 month period preceding the 12-month period described
21 in paragraph (1).”.

22 (3) EFFECTIVE DATE.—Sections 3654 and
23 3687(d) of title 38, United States Code, as added by
24 this subsection, shall take effect on October 1, 2001.

1 **SEC. 112. ELECTION OF CERTAIN RECIPIENTS OF COM-**
 2 **MENCEMENT OF PERIOD OF ELIGIBILITY FOR**
 3 **SURVIVORS' AND DEPENDENTS' EDU-**
 4 **CATIONAL ASSISTANCE.**

5 *Section 3512(a)(3) is amended by striking “8 years*
 6 *after,” and all that follows through the end and inserting*
 7 *“8 years after the date that is elected by that person to be*
 8 *the beginning date of entitlement under section 3511 of this*
 9 *title or subchapter V of this chapter if—*

10 *“(A) the Secretary approves that beginning*
 11 *date;*

12 *“(B) the eligible person makes that election*
 13 *after the person’s eighteenth birthday but before*
 14 *the person’s twenty-sixth birthday; and*

15 *“(C) that beginning date—*

16 *“(i) in the case of a person whose eligi-*
 17 *bility is based on a parent who has a serv-*
 18 *ice-connected total disability permanent in*
 19 *nature, is between the dates described in*
 20 *subsection (d); and*

21 *“(ii) in the case of a person whose eli-*
 22 *gibility is based on the death of a parent,*
 23 *is between—*

24 *“(I) the date of the parent’s death;*
 25 *and*

1 “(II) the date of the Secretary’s
2 decision that the death was service-con-
3 nected;”.

4 **SEC. 113. ADJUSTED EFFECTIVE DATE FOR AWARD OF SUR-**
5 **VIVORS’ AND DEPENDENTS’ EDUCATIONAL**
6 **ASSISTANCE.**

7 (a) *IN GENERAL.*—Section 5113 is amended—

8 (1) by redesignating subsection (b) as subsection
9 (c);

10 (2) in subsection (a), by striking “subsection (b)
11 of this section” and inserting “subsections (b) and
12 (c)”; and

13 (3) by inserting after subsection (a) the following
14 new subsection:

15 “(b)(1) When determining the effective date of an
16 award under chapter 35 of this title for an individual de-
17 scribed in paragraph (2) based on an original claim, the
18 Secretary may consider the individual’s application as hav-
19 ing been filed on the eligibility date of the individual if
20 that eligibility date is more than one year before the date
21 of the initial rating decision.

22 “(2) An individual referred to in paragraph (1) is an
23 eligible person who—

24 “(A) submits to the Secretary an original appli-
25 cation for educational assistance under chapter 35 of

1 *this title within one year of the date that the Sec-*
2 *retary makes the rating decision;*

3 *“(B) claims such educational assistance for pur-*
4 *suit of an approved program of education during a*
5 *period preceding the one-year period ending on the*
6 *date on which the application was received by the*
7 *Secretary; and*

8 *“(C) would have been entitled to such edu-*
9 *cational assistance for such course pursuit if the indi-*
10 *vidual had submitted such an application on the in-*
11 *dividual’s eligibility date.*

12 *“(3) In this subsection:*

13 *“(A) The term ‘eligibility date’ means the date*
14 *on which an individual becomes an eligible person.*

15 *“(B) The term ‘eligible person’ has the meaning*
16 *given that term under section 3501(a)(1) of this title*
17 *under subparagraph (A)(i), (A)(ii), (B), or (D) of*
18 *such section by reason of either (i) the service-con-*
19 *ected death or (ii) service-connected total disability*
20 *permanent in nature of the veteran from whom such*
21 *eligibility is derived.*

22 *“(C) The term ‘initial rating decision’ means*
23 *with respect to an eligible person a decision made by*
24 *the Secretary that establishes (i) service connection for*
25 *such veteran’s death or (ii) the existence of such vet-*

1 *eran’s service-connected total disability permanent in*
 2 *nature, as the case may be.”.*

3 *(b) EFFECTIVE DATE.—The amendments made by sub-*
 4 *section (a) shall apply to applications first made under sec-*
 5 *tion 3513 of title 38, United States Code, that—*

6 *(1) are received on or after the date of the enact-*
 7 *ment of this Act; or*

8 *(2) on the date of the enactment of this Act, are*
 9 *pending (A) with the Secretary of Veterans Affairs, or*
 10 *(B) exhaustion of available administrative and judi-*
 11 *cial remedies.*

12 **SEC. 114. AVAILABILITY UNDER SURVIVORS’ AND DEPEND-**
 13 **ENTS’ EDUCATIONAL ASSISTANCE OF PRE-**
 14 **PARATORY COURSES FOR COLLEGE AND**
 15 **GRADUATE SCHOOL ENTRANCE EXAMS.**

16 *(a) IN GENERAL.—Section 3501(a)(5) is amended by*
 17 *adding at the end the following new sentence: “Such term*
 18 *also includes any preparatory course described in section*
 19 *3002(3)(B) of this title.”.*

20 *(b) SCOPE OF AVAILABILITY.—Section 3512(a) is*
 21 *amended—*

22 *(1) by striking “and” at the end of clause (5);*

23 *(2) by striking the period at the end of clause (6)*
 24 *and inserting “; and”; and*

25 *(3) by adding at the end the following:*

1 “(7) if the person is pursuing a preparatory
 2 course described in section 3002(3)(B) of this title,
 3 such period may begin on the date that is the first
 4 day of such course pursuit, notwithstanding that such
 5 date may be before the person’s eighteenth birthday,
 6 except that in no case may such person be afforded
 7 educational assistance under this chapter for pursuit
 8 of secondary schooling unless such course pursuit
 9 would otherwise be authorized under this subsection.”.

10 ***Subtitle C—General Educational***
 11 ***Assistance***

12 ***SEC. 121. REVISION OF EDUCATIONAL ASSISTANCE INTER-***
 13 ***VAL PAYMENT REQUIREMENTS.***

14 (a) *IN GENERAL.*—Subclause (C) of the third sentence
 15 of section 3680(a) is amended to read as follows:

16 “(C) during periods between school terms where
 17 the educational institution certifies the enrollment of
 18 the eligible veteran or eligible person on an individual
 19 term basis if (i) the period between those terms does
 20 not exceed eight weeks, and (ii) both the terms pre-
 21 ceding and following the period are not shorter in
 22 length than the period.”.

23 (b) *EFFECTIVE DATE.*—The amendment made by sub-
 24 section (a) shall apply with respect to payments of edu-
 25 cational assistance under title 38, United States Code, for

1 *months beginning on or after the date of the enactment of*
 2 *this Act.*

3 **SEC. 122. AVAILABILITY OF EDUCATION BENEFITS FOR PAY-**
 4 **MENT FOR LICENSING OR CERTIFICATION**
 5 **TESTS.**

6 (a) *IN GENERAL.*—Sections 3452(b) and 3501(a)(5)
 7 (as amended by section 114(a)) are each amended by add-
 8 ing at the end the following new sentence: “Such term also
 9 includes licensing or certification tests, the successful com-
 10 pletion of which demonstrates an individual’s possession of
 11 the knowledge or skill required to enter into, maintain, or
 12 advance in employment in a predetermined and identified
 13 vocation or profession, provided such tests and the licensing
 14 or credentialing organizations or entities that offer such
 15 tests are approved by the Secretary in accordance with sec-
 16 tion 3689 of this title.”.

17 (b) *AMOUNT OF PAYMENT.*—

18 (1) *CHAPTER 30.*—Section 3032 is amended by
 19 adding at the end the following new subsection:

20 “(f)(1) Subject to paragraph (3), the amount of edu-
 21 cational assistance payable under this chapter for a licens-
 22 ing or certification test described in section 3452(b) of this
 23 title is the lesser of \$2,000 or the fee charged for the test.

24 “(2) The number of months of entitlement charged in
 25 the case of any individual for such licensing or certification

1 test is equal to the number (including any fraction) deter-
 2 mined by dividing the total amount of educational assist-
 3 ance paid such individual for such test by the full-time
 4 monthly institutional rate of educational assistance which,
 5 except for paragraph (1), such individual would otherwise
 6 be paid under subsection (a)(1), (b)(1), (d), or (e)(1) of sec-
 7 tion 3015 of this title, as the case may be.

8 “(3) In no event shall payment of educational assist-
 9 ance under this subsection for such a test exceed the amount
 10 of the individual’s available entitlement under this chap-
 11 ter.”.

12 (2) CHAPTER 32.—Section 3232 is amended by
 13 adding at the end the following new subsection:

14 “(c)(1) Subject to paragraph (3), the amount of edu-
 15 cational assistance payable under this chapter for a licens-
 16 ing or certification test described in section 3452(b) of this
 17 title is the lesser of \$2,000 or the fee charged for the test.

18 “(2) The number of months of entitlement charged in
 19 the case of any individual for such licensing or certification
 20 test is equal to the number (including any fraction) deter-
 21 mined by dividing the total amount paid to such individual
 22 for such test by the full-time monthly institutional rate of
 23 the educational assistance allowance which, except for para-
 24 graph (1), such individual would otherwise be paid under
 25 this chapter.

1 “(3) *In no event shall payment of educational assist-*
2 *ance under this subsection for such a test exceed the amount*
3 *of the individual’s available entitlement under this chap-*
4 *ter.*”.

5 (3) *CHAPTER 34.—Section 3482 is amended by*
6 *adding at the end the following new subsection:*

7 “(h)(1) *Subject to paragraph (3), the amount of edu-*
8 *cational assistance payable under this chapter for a licens-*
9 *ing or certification test described in section 3452(b) of this*
10 *title is the lesser of \$2,000 or the fee charged for the test.*

11 “(2) *The number of months of entitlement charged in*
12 *the case of any individual for such licensing or certification*
13 *test is equal to the number (including any fraction) deter-*
14 *mined by dividing the total amount paid to such individual*
15 *for such test by the full-time monthly institutional rate of*
16 *the educational assistance allowance which, except for para-*
17 *graph (1), such individual would otherwise be paid under*
18 *this chapter.*

19 “(3) *In no event shall payment of educational assist-*
20 *ance under this subsection for such a test exceed the amount*
21 *of the individual’s available entitlement under this chap-*
22 *ter.*”.

23 (4) *CHAPTER 35.—Section 3532 is amended by*
24 *adding at the end the following new subsection:*

1 *that the requirements of this section have been met with*
 2 *respect to such test and the organization or entity offering*
 3 *the test. The requirements of approval for tests and organi-*
 4 *zations or entities offering tests shall be in accordance with*
 5 *the provisions of this chapter and chapters 30, 32, 34, and*
 6 *35 of this title and with regulations prescribed by the Sec-*
 7 *retary to carry out this section.*

8 “(2) *To the extent that the Secretary determines prac-*
 9 *ticable, State approving agencies may, in lieu of the Sec-*
 10 *retary, approve licensing and certification tests, and orga-*
 11 *nizations and entities offering such tests, under this section.*

12 “(b) *REQUIREMENTS FOR TESTS.—(1) Subject to*
 13 *paragraph (2), a licensing or certification test is approved*
 14 *for purposes of this section only if—*

15 “(A) *the test is required under Federal, State, or*
 16 *local law or regulation for an individual to enter*
 17 *into, maintain, or advance in employment in a pre-*
 18 *determined and identified vocation or profession; or*

19 “(B) *the Secretary determines that the test is*
 20 *generally accepted, in accordance with relevant gov-*
 21 *ernment, business, or industry standards, employment*
 22 *policies, or hiring practices, as attesting to a level of*
 23 *knowledge or skill required to qualify to enter into,*
 24 *maintain, or advance in employment in a predeter-*
 25 *mined and identified vocation or profession.*

1 “(2) *A licensing or certification test offered by a State,*
2 *or a political subdivision of a State, is deemed approved*
3 *by the Secretary for purposes of this section.*

4 “(c) *REQUIREMENTS FOR ORGANIZATIONS OR ENTI-*
5 *TIES OFFERING TESTS.—(1) Each organization or entity*
6 *that is not an entity of the United States, a State, or polit-*
7 *ical subdivision of a State, that offers a licensing or certifi-*
8 *cation test for which payment may be made under chapter*
9 *30, 32, 34, or 35 of this title and that meets the following*
10 *requirements, shall be approved by the Secretary to offer*
11 *such test:*

12 “(A) *The organization or entity certifies to the*
13 *Secretary that the licensing or certification test of-*
14 *fered by the organization or entity is generally ac-*
15 *cepted, in accordance with relevant government, busi-*
16 *ness, or industry standards, employment policies, or*
17 *hiring practices, as attesting to a level of knowledge*
18 *or skill required to qualify to enter into, maintain, or*
19 *advance in employment in a predetermined and iden-*
20 *tified vocation or profession.*

21 “(B) *The organization or entity is licensed, char-*
22 *tered, or incorporated in a State and has offered the*
23 *test for a minimum of two years before the date on*
24 *which the organization or entity first submits to the*

1 *Secretary an application for approval under this sec-*
2 *tion.*

3 *“(C) The organization or entity employs, or*
4 *consults with, individuals with expertise or substan-*
5 *tial experience with respect to all areas of knowledge*
6 *or skill that are measured by the test and that are re-*
7 *quired for the license or certificate issued.*

8 *“(D) The organization or entity has no direct fi-*
9 *nancial interest in—*

10 *“(i) the outcome of the test; or*

11 *“(ii) organizations that provide the edu-*
12 *cation or training of candidates for licenses or*
13 *certificates required for vocations or professions.*

14 *“(E) The organization or entity maintains ap-*
15 *propriate records with respect to all candidates who*
16 *take the test for a period prescribed by the Secretary,*
17 *but in no case for a period of less than three years.*

18 *“(F)(i) The organization or entity promptly*
19 *issues notice of the results of the test to the candidate*
20 *for the license or certificate.*

21 *“(ii) The organization or entity has in place a*
22 *process to review complaints submitted against the or-*
23 *ganization or entity with respect to the test or the*
24 *process for obtaining a license or certificate required*
25 *for vocations or professions.*

1 “(G) *The organization or entity furnishes to the*
2 *Secretary such information with respect to the test as*
3 *the Secretary requires to determine whether payment*
4 *may be made for the test under chapter 30, 32, 34,*
5 *or 35 of this title, including personal identifying in-*
6 *formation, fee payment, and test results. Such infor-*
7 *mation shall be furnished in the form prescribed by*
8 *the Secretary.*

9 “(H) *The organization or entity furnishes to the*
10 *Secretary the following information:*

11 “(i) *A description of the licensing or certifi-*
12 *cation test offered by the organization or entity,*
13 *including the purpose of the test, the vocational,*
14 *professional, governmental, and other entities*
15 *that recognize the test, and the license of certifi-*
16 *cate issued upon successful completion of the test.*

17 “(ii) *The requirements to take the test, in-*
18 *cluding the amount of the fee charged for the test*
19 *and any prerequisite education, training, skills,*
20 *or other certification.*

21 “(iii) *The period for which the license or*
22 *certificate awarded upon successful completion of*
23 *the test is valid, and the requirements for main-*
24 *taining or renewing the license or certificate.*

1 “(I) Upon request of the Secretary, the organiza-
2 tion or entity furnishes such information to the Sec-
3 retary that the Secretary determines necessary to per-
4 form an assessment of—

5 “(i) the test conducted by the organization
6 or entity as compared to the level of knowledge
7 or skills that a license or certificate attests; and

8 “(ii) the applicability of the test over such
9 periods of time as the Secretary determines ap-
10 propriate.

11 “(2) With respect to each organization or entity that
12 is an entity of the United States, a State, or political sub-
13 division of a State, that offers a licensing or certification
14 test for which payment may be made under 30, 32, 34, or
15 35 of this title, the following provisions of paragraph (1)
16 shall apply to the entity: subparagraphs (E), (F), (G), and
17 (H).

18 “(d) ADMINISTRATION.—Except as otherwise specifi-
19 cally provided in this section or chapter 30, 32, 34, or 35
20 of this title, in implementing this section and making pay-
21 ment under any such chapter for a licensing or certification
22 test, the test is deemed to be a ‘course’ and the organization
23 or entity that offers such test is deemed to be an ‘institution’
24 or ‘educational institution’, respectively, as those terms are
25 applied under and for purposes of sections 3671, 3673,

1 3674, 3678, 3679, 3681, 3682, 3683, 3685, 3690, and 3696
2 of this title.

3 “(e) *PROFESSIONAL CERTIFICATION AND LICENSURE*
4 *ADVISORY COMMITTEE.*—(1) *There is established within the*
5 *Department a committee to be known as the Professional*
6 *Certification and Licensure Advisory Committee (herein-*
7 *after in this section referred to as the ‘Committee’).*

8 “(2) *The Committee shall advise the Secretary with re-*
9 *spect to the requirements of organizations or entities offer-*
10 *ing licensing and certification tests to individuals for which*
11 *payment for such tests may be made under chapter 30, 32,*
12 *34, or 35 of this title, and such other related issues as the*
13 *Committee determines to be appropriate.*

14 “(3)(A) *The Secretary shall appoint seven individuals*
15 *with expertise in matters relating to licensing and certifi-*
16 *cation tests to serve as members of the Committee.*

17 “(B) *The Secretary of Labor and the Secretary of De-*
18 *fense shall serve as ex officio members of the Committee.*

19 “(C) *A vacancy in the Committee shall be filled in the*
20 *manner in which the original appointment was made.*

21 “(4)(A) *The Secretary shall appoint the chairman of*
22 *the Committee.*

23 “(B) *The Committee shall meet at the call of the chair-*
24 *man.*

1 “(5) *The Committee shall terminate December 31,*
2 *2006.*”.

3 (2) *The table of sections at the beginning of chapter*
4 *36 is amended by inserting after the item relating to section*
5 *3688 the following new item:*

 “3689. *Approval requirements for licensing and certification testing.*”.

6 (d) *EFFECTIVE DATE.*—*The amendments made by this*
7 *section shall take effect on March 1, 2001, and shall apply*
8 *with respect to licensing and certification tests approved*
9 *by the Secretary on Veterans Affairs on or after such date.*

10 (e) *STARTUP FUNDING.*—*From amounts appropriated*
11 *to the Department of Veterans Affairs for fiscal year 2001*
12 *for readjustment benefits, the Secretary of Veterans Affairs*
13 *shall use an amount not to exceed \$3,000,000 to develop*
14 *the systems and procedures required to make payments*
15 *under chapters 30, 32, 34, and 35 of title 38, United States*
16 *Code, for licensing and certification tests.*

17 **SEC. 123. INCREASE FOR FISCAL YEARS 2001 AND 2002 IN**
18 **AGGREGATE ANNUAL AMOUNT AVAILABLE**
19 **FOR STATE APPROVING AGENCIES FOR AD-**
20 **MINISTRATIVE EXPENSES.**

21 Section 3674(a)(4) is amended—

22 (1) *in the first sentence, by inserting “or, for*
23 *each of fiscal years 2001 and 2002, \$14,000,000”*
24 *after “\$13,000,000”; and*

1 (2) *in the second sentence, by striking*
 2 “\$13,000,000” *both places it appears and inserting*
 3 “the amount applicable to that fiscal year under the
 4 *preceding sentence”.*

5 **TITLE II—HEALTH PROVISIONS**

6 **Subtitle A—Personnel Matters**

7 **SEC. 201. ANNUAL NATIONAL PAY COMPARABILITY ADJUST-** 8 **MENT FOR NURSES EMPLOYED BY DEPART-** 9 **MENT OF VETERANS AFFAIRS.**

10 (a) *REVISED PAY ADJUSTMENT PROCEDURES.—(1)*

11 *Subsection (d) of section 7451 is amended—*

12 (A) *in paragraph (1)—*

13 (i) *by striking “The rates” and inserting*

14 “Subject to subsection (e), the rates”; and

15 (ii) *in subparagraph (A)—*

16 (I) *by striking “section 5305” and in-*

17 *serting “section 5303”; and*

18 (II) *by inserting “and to be by the*

19 *same percentage” after “to have the same ef-*

20 *fective date”;*

21 (B) *in paragraph (2), by striking “Such” in the*

22 *second sentence and inserting “Except as provided in*

23 *paragraph (1)(A), such”;*

24 (C) *in paragraph (3)(B)—*

1 (i) by inserting after the first sentence the
2 following new sentence: “To the extent prac-
3 ticable, the director shall use third-party indus-
4 try wage surveys to meet the requirements of the
5 preceding sentence.”;

6 (ii) by inserting before the penultimate sen-
7 tence the following new sentence: “To the extent
8 practicable, all surveys conducted pursuant to
9 this subparagraph or subparagraph (A) shall in-
10 clude the collection of salary midpoints, actual
11 salaries, lowest and highest salaries, average sal-
12 aries, bonuses, incentive pays, differential pays,
13 actual beginning rates of pay, and such other in-
14 formation needed to meet the purpose of this sec-
15 tion.”; and

16 (iii) in the penultimate sentence, by insert-
17 ing “or published” after “completed”; and

18 (D) by striking clause (iii) of paragraph (3)(C).

19 (2) Subsection (e) of such section is amended to read
20 as follows:

21 “(e)(1) An adjustment in a rate of basic pay under
22 subsection (d) may not reduce the rate of basic pay applica-
23 ble to any grade of a covered position.

24 “(2) The director of a Department health-care facility,
25 in determining whether to carry out a wage survey under

1 subsection (d)(3) with respect to rates of basic pay for a
2 grade of a covered position, may not consider as a factor
3 in such determination the absence of a current recruitment
4 or retention problem for personnel in that grade of that po-
5 sition. The director shall make such a determination based
6 upon whether, in accordance with criteria established by
7 the Secretary, there is a significant pay-related staffing
8 problem at that facility in any grade for a position. If the
9 director determines that there is such a problem, or that
10 such a problem is likely to exist in the near future, the Di-
11 rector shall provide for a wage survey in accordance with
12 subsection (d)(3).

13 “(3) The Under Secretary for Health may, to the ex-
14 tent necessary to carry out the purposes of subsection (d),
15 modify any determination made by the director of a De-
16 partment health-care facility with respect to adjusting the
17 rates of basic pay applicable to covered positions. If the de-
18 termination of the director would result in an adjustment
19 in rates of basic pay applicable to covered positions, any
20 action by the Under Secretary under the preceding sentence
21 shall be made before the effective date of such pay adjust-
22 ment. Upon such action by the Under Secretary, any ad-
23 justment shall take effect on the first day of the first pay
24 period beginning after such action. The Secretary shall en-

1 *sure that the Under Secretary establishes a mechanism for*
2 *the timely exercise of the authority in this paragraph.*

3 *“(4) Each director of a Department health-care facility*
4 *shall provide to the Secretary, not later than July 31 each*
5 *year, a report on staffing for covered positions at that facil-*
6 *ity. The report shall include the following:*

7 *“(A) Information on turnover rates and vacancy*
8 *rates for each grade in a covered position, including*
9 *a comparison of those rates with the rates for the pre-*
10 *ceding three years.*

11 *“(B) The director’s findings concerning the re-*
12 *view and evaluation of the facility’s staffing situa-*
13 *tion, including whether there is, or is likely to be, in*
14 *accordance with criteria established by the Secretary,*
15 *a significant pay-related staffing problem at that fa-*
16 *ility for any grade of a covered position and, if so,*
17 *whether a wage survey was conducted, or will be con-*
18 *ducted with respect to that grade.*

19 *“(C) In any case in which the director conducts*
20 *such a wage survey during the period covered by the*
21 *report, information describing the survey and any ac-*
22 *tions taken or not taken based on the survey, and the*
23 *reasons for taking (or not taking) such actions.*

24 *“(D) In any case in which the director, after*
25 *finding that there is, or is likely to be, in accordance*

1 with criteria established by the Secretary, a signifi-
 2 cant pay-related staffing problem at that facility for
 3 any grade of a covered position, determines not to
 4 conduct a wage survey with respect to that position,
 5 a statement of the reasons why the director did not
 6 conduct such a survey.

7 “(5) Not later than September 30 of each year, the Sec-
 8 retary shall submit to the Committees on Veterans’ Affairs
 9 of the Senate and House of Representatives a report on
 10 staffing for covered positions at Department health care fa-
 11 cilities. Each such report shall include the following:

12 “(A) A summary and analysis of the informa-
 13 tion contained in the most recent reports submitted
 14 by facility directors under paragraph (4).

15 “(B) The information for each such facility spec-
 16 ified in paragraph (4).”.

17 (3) Subsection (f) of such section is amended—

18 (A) by striking “February 1 of 1991, 1992, and
 19 1993” and inserting “March 1 of each year”; and

20 (B) by striking “subsection (d)(1)(A)” and in-
 21 serting “subsection (d)”.

22 (4) Such section is further amended by striking sub-
 23 section (g) and redesignating subsection (h) as subsection
 24 (g).

1 (b) *REQUIRED CONSULTATIONS WITH NURSES.*—(1)
 2 *Subchapter II of chapter 73 is further amended by adding*
 3 *at the end the following new section:*

4 **“§ 7323. Required consultations with nurses**

5 *“The Under Secretary for Health shall ensure that—*

6 *“(1) the director of a geographic service area, in*
 7 *formulating policy relating to the provision of patient*
 8 *care, shall consult regularly with a senior nurse exec-*
 9 *utive or senior nurse executives; and*

10 *“(2) the director of a medical center shall in-*
 11 *clude a registered nurse as a member of any com-*
 12 *mittee used at that medical center to provide rec-*
 13 *ommendations or decisions on medical center oper-*
 14 *ations or policy affecting clinical services, clinical*
 15 *outcomes, budget, or resources.”.*

16 (2) *The table of sections at the beginning of such chap-*
 17 *ter is amended by inserting after the item relating to section*
 18 *7322 the following new item:*

“7323. Required consultations with nurses.”.

19 **SEC. 202. SPECIAL PAY FOR DENTISTS.**

20 (a) *FULL-TIME STATUS PAY.*—*Paragraph (1) of sec-*
 21 *tion 7435(b) is amended by striking “\$3,500” and inserting*
 22 *“\$9,000”.*

23 (b) *TENURE PAY.*—*The table in paragraph (2)(A) of*
 24 *that section is amended to read as follows:*

“Length of Service	Rate	
	Minimum	Maximum
1 year but less than 2 years	\$1,000	\$2,000
2 years but less than 4 years	4,000	5,000
4 years but less than 8 years	5,000	8,000
8 years but less than 12 years	8,000	12,000
12 years but less than 20 years	12,000	15,000
20 years or more	15,000	18,000.”.

1 (c) *SCARCE SPECIALTY PAY*.—Paragraph (3)(A) of
2 that section is amended by striking “\$20,000” and inserting
3 “\$30,000”.

4 (d) *RESPONSIBILITY PAY*.—(1) The table in paragraph
5 (4)(A) of that section is amended to read as follows:

“Position	Rate	
	Minimum	Maximum
Chief of Staff or in an Executive Grade	\$14,500	\$25,000
Director Grade	0	25,000
Service Chief (or in a comparable position as determined by the Secretary)	4,500	15,000.”.

6 (2) The table in paragraph (4)(B) of that section is
7 amended to read as follows:

“Position	Rate
Deputy Service Director	\$20,000
Service Director	25,000
Deputy Assistant Under Secretary for Health	27,500
Assistant Under Secretary for Health (or in a comparable po- sition as determined by the Secretary)	30,000.”.

8 (e) *GEOGRAPHIC PAY*.—Paragraph (6) of that section
9 is amended by striking “\$5,000” and inserting “\$12,000”.

10 (f) *SPECIAL PAY FOR POST-GRADUATE TRAINING*.—
11 Such section is further amended by adding at the end the
12 following new paragraph:

1 “(8) For a dentist who has successfully completed
2 a post-graduate year of hospital-based training in a
3 program accredited by the American Dental Associa-
4 tion, an annual rate of \$2,000 for each of the first
5 two years of service after successful completion of that
6 training.”.

7 (g) CREDITING OF INCREASED TENURE PAY FOR CIVIL
8 SERVICE RETIREMENT.—Section 7438(b) is amended—

9 (1) by redesignating paragraph (5) as para-
10 graph (6); and

11 (2) by inserting after paragraph (4) the fol-
12 lowing new paragraph (5):

13 “(5) Notwithstanding paragraphs (1) and (2), a den-
14 tist employed as a dentist in the Veterans Health Adminis-
15 tration on the date of the enactment of the Veterans Benefits
16 and Health Care Improvement Act of 2000 shall be entitled
17 to have special pay paid to the dentist under section
18 7435(b)(2)(A) of this title (referred to as ‘tenure pay’) con-
19 sidered basic pay for the purposes of chapter 83 or 84, as
20 appropriate, of title 5 only as follows:

21 “(A) In an amount equal to the amount that
22 would have been so considered under such section on
23 the day before such date based on the rates of special
24 pay the dentist was entitled to receive under that sec-
25 tion on the day before such date.

1 “(B) *With respect to any amount of special pay*
2 *received under that section in excess of the amount*
3 *such dentist was entitled to receive under such section*
4 *on the day before such date, in an amount equal to*
5 *25 percent of such excess amount for each two years*
6 *that the physician or dentist has completed as a phy-*
7 *sician or dentist in the Veterans Health Administra-*
8 *tion after such date.”.*

9 *(h) EFFECTIVE DATE.—The amendments made by this*
10 *section shall apply with respect to agreements entered into*
11 *by dentists under subchapter III of chapter 74 of title 38,*
12 *United States Code, on or after the date of the enactment*
13 *of this Act.*

14 *(i) TRANSITION.—In the case of an agreement entered*
15 *into by a dentist under subchapter III of chapter 74 of title*
16 *38, United States Code, before the date of the enactment*
17 *of this Act that expires after that date, the Secretary of Vet-*
18 *erans Affairs and the dentist concerned may agree to termi-*
19 *nate that agreement as of the date of the enactment of this*
20 *Act in order to permit a new agreement in accordance with*
21 *section 7435 of such title, as amended by this section, to*
22 *take effect as of that date.*

1 **SEC. 203. EXEMPTION FOR PHARMACISTS FROM CEILING**
 2 **ON SPECIAL SALARY RATES.**

3 *Section 7455(c)(1) is amended by inserting “, phar-*
 4 *macists,” after “anesthetists”.*

5 **SEC. 204. TEMPORARY FULL-TIME APPOINTMENTS OF CER-**
 6 **TAIN MEDICAL PERSONNEL.**

7 *(a) PHYSICIAN ASSISTANTS AWAITING CERTIFICATION*
 8 *OR LICENSURE.—Paragraph (2) of section 7405(c) is*
 9 *amended to read as follows:*

10 *“(2) A temporary full-time appointment may not be*
 11 *made for a period in excess of two years in the case of a*
 12 *person who—*

13 *“(A) has successfully completed—*

14 *“(i) a full course of nursing in a recognized*
 15 *school of nursing, approved by the Secretary; or*

16 *“(ii) a full course of training for any cat-*
 17 *egory of personnel described in paragraph (3) of*
 18 *section 7401 of this title, or as a physician as-*
 19 *stant, in a recognized education or training in-*
 20 *stitution approved by the Secretary; and*

21 *“(B) is pending registration or licensure in a*
 22 *State or certification by a national board recognized*
 23 *by the Secretary.”.*

24 *(b) MEDICAL SUPPORT PERSONNEL.—That section is*
 25 *further amended—*

1 (1) by redesignating paragraph (3) as para-
2 graph (4); and

3 (2) by inserting after paragraph (2) the fol-
4 lowing new paragraph (3):

5 “(3)(A) *Temporary full-time appointments of persons*
6 *in positions referred to in subsection (a)(1)(D) shall not ex-*
7 *ceed three years.*

8 “(B) *Temporary full-time appointments under this*
9 *paragraph may be renewed for one or more additional peri-*
10 *ods not in excess of three years each.*”

11 **SEC. 205. QUALIFICATIONS OF SOCIAL WORKERS.**

12 Section 7402(b)(9) is amended by striking “a person
13 must” and all that follows and inserting “a person must—

14 “(A) hold a master’s degree in social work from
15 a college or university approved by the Secretary; and

16 “(B) be licensed or certified to independently
17 practice social work in a State, except that the Sec-
18 retary may waive the requirement of licensure or cer-
19 tification for an individual social worker for a rea-
20 sonable period of time recommended by the Under
21 Secretary for Health.”

22 **SEC. 206. PHYSICIAN ASSISTANT ADVISER TO UNDER SEC-**
23 **RETARY FOR HEALTH.**

24 Section 7306(a) is amended—

1 (1) *by redesignating paragraph (9) as para-*
2 *graph (10); and*

3 (2) *by inserting after paragraph (8) the fol-*
4 *lowing new paragraph (9):*

5 “(9) *The Advisor on Physician Assistants, who*
6 *shall be a physician assistant with appropriate expe-*
7 *rience and who shall advise the Under Secretary for*
8 *Health on all matters relating to the utilization and*
9 *employment of physician assistants in the Adminis-*
10 *tration.”.*

11 **SEC. 207. EXTENSION OF VOLUNTARY SEPARATION INCEN-**
12 **TIVE PAYMENTS.**

13 *The Department of Veterans Affairs Employment Re-*
14 *duction Assistance Act of 1999 (title XI of Public Law 106-*
15 *117; 5 U.S.C. 5597 note) is amended as follows:*

16 (1) *Section 1102(c) is amended to read as fol-*
17 *lows:*

18 “(c) *LIMITATION.—The plan under subsection (a) shall*
19 *be limited to a total of 7,734 positions within the Depart-*
20 *ment, allocated among the elements of the Department as*
21 *follows:*

22 “(1) *The Veterans Health Administration, 6,800*
23 *positions.*

24 “(2) *The Veterans Benefits Administration, 740*
25 *positions.*

1 “(3) *Department of Veterans Affairs Staff Of-*
2 *fices, 156 positions.*

3 “(4) *The National Cemetery Administration, 38*
4 *positions.*”.

5 (2) *Section 1105(a) is amended by striking “26*
6 *percent” and inserting “15 percent”.*

7 (3) *Section 1109(a) is amended by striking “De-*
8 *cember 31, 2000” and inserting “December 31, 2002”.*

9 ***Subtitle B—Military Service Issues***

10 ***SEC. 211. FINDINGS AND SENSE OF CONGRESS CON-***
11 ***CERNING USE OF MILITARY HISTORIES OF***
12 ***VETERANS IN DEPARTMENT OF VETERANS***
13 ***AFFAIRS HEALTH CARE.***

14 (a) *FINDINGS.—Congress makes the following findings:*

15 (1) *Pertinent military experiences and exposures*
16 *may affect the health status of Department of Vet-*
17 *erans Affairs patients who are veterans.*

18 (2) *The Department of Veterans Affairs has*
19 *begun to implement a Veterans Health Initiative to*
20 *develop systems to ensure that both patient care and*
21 *medical education in the Veterans Health Adminis-*
22 *tration are specific to the special needs of veterans*
23 *and should be encouraged to continue these efforts.*

24 (3) *Protocols eliciting pertinent information re-*
25 *lating to the military history of veterans may be ben-*

1 *eficial to understanding certain conditions for which*
 2 *veterans may be at risk and thereby facilitate the*
 3 *treatment of veterans for those conditions.*

4 *(4) The Department of Veterans Affairs is in the*
 5 *process of developing a Computerized Patient Record*
 6 *System that offers the potential to aid in the care and*
 7 *monitoring of such conditions.*

8 *(b) SENSE OF CONGRESS.—Congress—*

9 *(1) urges the Secretary of Veterans Affairs to as-*
 10 *sess the feasibility and desirability of using a com-*
 11 *puter-based system to conduct clinical evaluations rel-*
 12 *evant to military experiences and exposures; and*

13 *(2) recommends that the Secretary accelerate ef-*
 14 *forts within the Department of Veterans Affairs to en-*
 15 *sure that relevant military histories of veterans are*
 16 *included in Department medical records.*

17 **SEC. 212. STUDY OF POST-TRAUMATIC STRESS DISORDER**
 18 **IN VIETNAM VETERANS.**

19 *(a) STUDY ON POST-TRAUMATIC STRESS DIS-*
 20 *ORDER.—Not later than 10 months after the date of the en-*
 21 *actment of this Act, the Secretary of Veterans Affairs shall*
 22 *enter into a contract with an appropriate entity to carry*
 23 *out a study on post-traumatic stress disorder.*

24 *(b) FOLLOW-UP STUDY.—The contract under sub-*
 25 *section (a) shall provide for a follow-up study to the study*

1 *conducted in accordance with section 102 of the Veterans*
2 *Health Care Amendments of 1983 (Public Law 98–160).*
3 *Such follow-up study shall use the data base and sample*
4 *of the previous study.*

5 (c) *INFORMATION TO BE INCLUDED.*—*The study con-*
6 *ducted pursuant to this section shall be designed to yield*
7 *information on—*

8 (1) *the long-term course of post-traumatic stress*
9 *disorder;*

10 (2) *any long-term medical consequences of post-*
11 *traumatic stress disorder;*

12 (3) *whether particular subgroups of veterans are*
13 *at greater risk of chronic or more severe problems*
14 *with such disorder; and*

15 (4) *the services used by veterans who have post-*
16 *traumatic stress disorder and the effect of those serv-*
17 *ices on the course of the disorder.*

18 (d) *REPORT.*—*The Secretary shall submit to the Com-*
19 *mittees of Veterans' Affairs of the Senate and House of Rep-*
20 *resentatives a report on the results of the study under this*
21 *section. The report shall be submitted no later than October*
22 *1, 2004.*

1 ***Subtitle C—Medical Administration***

2 ***SEC. 221. DEPARTMENT OF VETERANS AFFAIRS FISHER***
 3 ***HOUSES.***

4 (a) *AUTHORITY.*—Subchapter I of chapter 17 is
 5 amended by adding at the end the following new section:

6 ***“§ 1708. Temporary lodging***

7 “(a) *The Secretary may furnish persons described in*
 8 *subsection (b) with temporary lodging in a Fisher house*
 9 *or other appropriate facility in connection with the exam-*
 10 *ination, treatment, or care of a veteran under this chapter*
 11 *or, as provided for under subsection (e)(5), in connection*
 12 *with benefits administered under this title.*

13 “(b) *Persons to whom the Secretary may provide lodg-*
 14 *ing under subsection (a) are the following:*

15 “(1) *A veteran who must travel a significant dis-*
 16 *tance to receive care or services under this title.*

17 “(2) *A member of the family of a veteran and*
 18 *others who accompany a veteran and provide the*
 19 *equivalent of familial support for such veteran.*

20 “(c) *In this section, the term ‘Fisher house’ means a*
 21 *housing facility that—*

22 “(1) *is located at, or in proximity to, a Depart-*
 23 *ment medical facility;*

1 “(2) is available for residential use on a tem-
2 porary basis by patients of that facility and others
3 described in subsection (b)(2); and

4 “(3) is constructed by, and donated to the Sec-
5 retary by, the Zachary and Elizabeth M. Fisher
6 Armed Services Foundation.

7 “(d) The Secretary may establish charges for providing
8 lodging under this section. The proceeds from such charges
9 shall be credited to the medical care account and shall be
10 available until expended for the purposes of providing such
11 lodging.

12 “(e) The Secretary shall prescribe regulations to carry
13 out this section. Such regulations shall include provisions—

14 “(1) limiting the duration of lodging provided
15 under this section;

16 “(2) establishing standards and criteria under
17 which charges are established for such lodging under
18 subsection (d);

19 “(3) establishing criteria for persons considered
20 to be accompanying a veteran under subsection (b)(2);

21 “(4) establishing criteria for the use of the prem-
22 ises of temporary lodging facilities under this section;
23 and

1 “(5) *establishing any other limitations, condi-*
2 *tions, and priorities that the Secretary considers ap-*
3 *propriate with respect to lodging under this section.*”.

4 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
5 *the beginning of such chapter is amended by inserting after*
6 *the item relating to section 1707 the following new item:*
 “1708. Temporary lodging.”.

7 **SEC. 222. EXCEPTION TO RECAPTURE RULE.**

8 *Section 8136 is amended—*

9 (1) *by inserting “(a)” at the beginning of the*
10 *text of the section; and*

11 (2) *by adding at the end the following new sub-*
12 *section:*

13 “(b) *The establishment and operation by the Secretary*
14 *of an outpatient clinic in facilities described in subsection*
15 *(a) shall not constitute grounds entitling the United States*
16 *to any recovery under that subsection.*”.

17 **SEC. 223. SENSE OF CONGRESS CONCERNING COOPERA-**
18 **TION BETWEEN THE DEPARTMENT OF VET-**
19 **ERANS AFFAIRS AND THE DEPARTMENT OF**
20 **DEFENSE IN THE PROCUREMENT OF MED-**
21 **ICAL ITEMS.**

22 **(a) FINDINGS.**—*Congress makes the following findings:*

23 (1) *The procurement and distribution of medical*
24 *items, including prescription drugs, is a multibillion-*

1 *dollar annual business for both the Department of De-*
2 *fense and the Department of Veterans Affairs.*

3 *(2) Those departments prescribe common high-*
4 *use drugs to many of their 12,000,000 patients who*
5 *have similar medical profiles.*

6 *(3) The health care systems of those departments*
7 *should have management systems that can share and*
8 *communicate clinical and management information*
9 *useful for both systems.*

10 *(4) The institutional barriers separating the two*
11 *departments have begun to be overcome in the area of*
12 *medical supplies, in part as a response to rec-*
13 *ommendations by the General Accounting Office and*
14 *the Commission on Servicemembers and Veterans*
15 *Transition Assistance.*

16 *(5) There is significant potential for improved*
17 *savings and services by improving cooperation be-*
18 *tween the two departments in the procurement and*
19 *management of prescription drugs, while remaining*
20 *mindful that the two departments have different mis-*
21 *sions.*

22 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
23 *that the Department of Defense and the Department of Vet-*
24 *erans Affairs should increase, to the maximum extent con-*
25 *sistent with their respective missions, their level of coopera-*

1 *tion in the procurement and management of prescription*
 2 *drugs.*

3 **SEC. 224. TECHNICAL AND CONFORMING CHANGES.**

4 (a) *REQUIREMENT TO PROVIDE CARE.*—Section
 5 *1710A(a) is amended by inserting “(subject to section*
 6 *1710(a)(4) of this title)” after “Secretary” the first place*
 7 *it appears.*

8 (b) *CONFORMING AMENDMENTS.*—Section *1710(a)(4)*
 9 *is amended—*

10 (1) *by inserting “the requirement in section*
 11 *1710A(a) of this title that the Secretary provide nurs-*
 12 *ing home care,” after “medical services,”; and*

13 (2) *by striking the comma after “extended care*
 14 *services”.*

15 (c) *OUTPATIENT TREATMENT.*—Section *201 of the Vet-*
 16 *erans Millennium Health Care and Benefits Act (Public*
 17 *Law 106–117; 113 Stat. 1561) is amended by adding at*
 18 *the end the following new subsection:*

19 “(c) *EFFECTIVE DATE.*—*The amendments made by*
 20 *subsection (b) shall apply with respect to medical services*
 21 *furnished under section 1710(a) of title 38, United States*
 22 *Code, on or after the effective date of the regulations pre-*
 23 *scribed by the Secretary of Veterans Affairs to establish the*
 24 *amounts required to be established under paragraphs (1)*

1 *and (2) of section 1710(g) of that title, as amended by sub-*
2 *section (b).”.*

3 *(d) RATIFICATION.—Any action taken by the Secretary*
4 *of Veterans Affairs under section 1710(g) of title 38, United*
5 *States Code, during the period beginning on November 30,*
6 *1999, and ending on the date of the enactment of this Act*
7 *is hereby ratified.*

8 ***Subtitle D—Construction***
9 ***Authorization***

10 ***SEC. 231. AUTHORIZATION OF MAJOR MEDICAL FACILITY***
11 ***PROJECTS.***

12 *(a) FISCAL YEAR 2001 PROJECTS.—The Secretary of*
13 *Veterans Affairs may carry out the following major medical*
14 *facility projects, with each project to be carried out in an*
15 *amount not to exceed the amount specified for that project:*

16 *(1) Construction of a 120-bed gero-psychiatric*
17 *facility at the Department of Veterans Affairs Palo*
18 *Alto Health Care System, Menlo Park Division, Cali-*
19 *fornia, \$26,600,000.*

20 *(2) Construction of a nursing home at the De-*
21 *partment of Veterans Affairs Medical Center, Beckley,*
22 *West Virginia, \$9,500,000.*

23 *(3) Seismic corrections, clinical consolidation,*
24 *and other improvements at the Department of Vet-*

1 *erans Affairs Medical Center, Long Beach, California,*
2 *\$51,700,000.*

3 *(4) Construction of a utility plant and electrical*
4 *vault at the Department of Veterans Affairs Medical*
5 *Center, Miami, Florida, \$23,600,000.*

6 *(b) ADDITIONAL FISCAL YEAR 2000 PROJECT.—The*
7 *Secretary is authorized to carry out a project for the ren-*
8 *ovation of psychiatric nursing units at the Department of*
9 *Veterans Affairs Medical Center, Murfreesboro, Tennessee,*
10 *in an amount not to exceed \$14,000,000.*

11 **SEC. 232. AUTHORIZATION OF APPROPRIATIONS.**

12 *(a) IN GENERAL.—There are authorized to be appro-*
13 *priated to the Secretary of Veterans Affairs for the Con-*
14 *struction, Major Projects, account—*

15 *(1) for fiscal years 2001 and 2002, a total of*
16 *\$87,800,000 for the projects authorized in paragraphs*
17 *(1), (2), and (3) of section 231(a);*

18 *(2) for fiscal year 2001, an additional amount*
19 *of \$23,600,000 for the project authorized in para-*
20 *graph (4) of that section; and*

21 *(3) for fiscal year 2002, an additional amount*
22 *of \$14,500,000 for the project authorized in section*
23 *401(1) of the Veterans Millennium Health Care and*
24 *Benefits Act (Public Law 106–117; 113 Stat. 1572).*

1 (b) *LIMITATION.*—*The projects authorized in section*
2 *231(a) may only be carried out using—*

3 (1) *funds appropriated for fiscal year 2001 or*
4 *fiscal year 2002 (or, in the case of the project author-*
5 *ized in section 231(a)(4), for fiscal year 2001) pursu-*
6 *ant to the authorization of appropriations in sub-*
7 *section (a);*

8 (2) *funds appropriated for Construction, Major*
9 *Projects, for a fiscal year before fiscal year 2001 that*
10 *remain available for obligation; and*

11 (3) *funds appropriated for Construction, Major*
12 *Projects, for fiscal year 2001 or fiscal year 2002 (or,*
13 *in the case of the project authorized in section*
14 *231(a)(4), for fiscal year 2001) for a category of ac-*
15 *tivity not specific to a project.*

16 (c) *REVISION TO PRIOR LIMITATION.*—*Notwith-*
17 *standing the limitation in section 403(b) of the Veterans*
18 *Millennium Health Care and Benefits Act (Public Law*
19 *106–117; 113 Stat. 1573), the project referred to in sub-*
20 *section (a)(3) may be carried out using—*

21 (1) *funds appropriated for fiscal year 2002 pur-*
22 *suant to the authorization of appropriations in sub-*
23 *section (a)(3);*

1 *Tennessee) to the State of Tennessee*”, approved June 6,
 2 1953 (67 Stat. 54).

3 (b) *SPECIFIED REVERSIONARY INTEREST.*—Subsection
 4 (a) applies to the reversionary interest of the United States
 5 required under section 2 of the Act referred to in subsection
 6 (a), requiring use of the property conveyed pursuant to that
 7 Act to be primarily for training of the National Guard and
 8 for other military purposes.

9 (c) *CONFORMING AMENDMENT.*—Section 2 of such Act
 10 is repealed.

11 **SEC. 243. DEMOLITION, ENVIRONMENTAL CLEANUP, AND**
 12 **REVERSION OF DEPARTMENT OF VETERANS**
 13 **AFFAIRS MEDICAL CENTER, ALLEN PARK,**
 14 **MICHIGAN.**

15 (a) *AUTHORITY.*—(1) *The Secretary of Veterans Af-*
 16 *fairs shall enter into a multiyear contract with the Ford*
 17 *Motor Land Development Corporation (hereinafter in this*
 18 *section referred to as the “Corporation”) to undertake*
 19 *project management responsibility to—*

20 (A) *demolish the buildings and auxiliary struc-*
 21 *tures comprising the Department of Veterans Affairs*
 22 *Medical Center, Allen Park, Michigan; and*

23 (B) *remediate the site of all hazardous material*
 24 *and environmental contaminants found on the site.*

1 (2) *The contract under paragraph (1) may be entered*
2 *into notwithstanding sections 303 and 304 of the Federal*
3 *Property and Administrative Services Act of 1949 (41*
4 *U.S.C. 253, 254). The contract shall be for a period speci-*
5 *fied in the contract not to exceed seven years.*

6 (b) *CONTRACT COST AND SOURCE OF FUNDING.—(1)*
7 *The Secretary may expend no more than \$14,000,000 for*
8 *the contract required by subsection (a). The contract shall*
9 *provide that all costs for the demolition and site remedi-*
10 *ation under the contract in excess of \$14,000,000 shall be*
11 *borne by the Corporation.*

12 (2) *Payments by the Secretary under the contract shall*
13 *be made in annual increments of no more than \$2,000,000,*
14 *beginning with fiscal year 2001, for the duration of the con-*
15 *tract. Such payments shall be made from the nonrecurring*
16 *maintenance portion of the annual Department of Veterans*
17 *Affairs medical care appropriation.*

18 (3) *Notwithstanding any other provision of law, the*
19 *amount obligated upon the award of the contract may not*
20 *exceed \$2,000,000 and the amount obligated with respect*
21 *to any succeeding fiscal year may not exceed \$2,000,000.*
22 *Any funds obligated for the contact shall be subject to the*
23 *availability of appropriated funds.*

24 (c) *REVERSION OF PROPERTY.—Upon completion of*
25 *the demolition and remediation project under the contract*

1 *to the satisfaction of the Secretary, the Secretary shall, on*
2 *behalf of the United States, formally abandon the Allen*
3 *Park property (title to which will then revert in accordance*
4 *with the terms of the 1937 deed conveying such property*
5 *to the United States).*

6 *(d) FLAGPOLE AND MEMORIAL.—The contract under*
7 *subsection (a) shall require that the Corporation shall erect*
8 *and maintain on the property abandoned by the United*
9 *States under subsection (c) a flagpole and suitable memo-*
10 *rial identifying the property as the location of the former*
11 *Allen Park Medical Center. The Secretary and the Corpora-*
12 *tion shall jointly determine the placement of the memorial*
13 *and flagpole and the form of, and appropriate inscription*
14 *on, the memorial.*

15 *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
16 *retary may require such additional terms and conditions*
17 *with regard to the contract with the Corporation under sub-*
18 *section (a) and with the reversion of the property under*
19 *subsection (c) as the Secretary considers appropriate to pro-*
20 *tect the interest of the United States.*

1 **SEC. 244. CONVEYANCE OF CERTAIN PROPERTY AT THE**
2 **CARL VINSON DEPARTMENT OF VETERANS**
3 **AFFAIRS MEDICAL CENTER, DUBLIN, GEOR-**
4 **GIA.**

5 (a) *CONVEYANCE TO STATE BOARD OF REGENTS.—*

6 *The Secretary of Veterans Affairs shall convey, without con-*
7 *sideration, to the Board of Regents of the State of Georgia*
8 *all right, title, and interest of the United States in and to*
9 *two tracts of real property, including any improvements*
10 *thereon, at the Carl Vinson Department of Veterans Affairs*
11 *Medical Center, Dublin, Georgia, consisting of 39 acres,*
12 *more or less, in Laurens County, Georgia.*

13 (b) *CONVEYANCE TO COMMUNITY SERVICE BOARD OF*

14 *MIDDLE GEORGIA.—The Secretary of Veterans Affairs shall*
15 *convey, without consideration, to the Community Service*
16 *Board of Middle Georgia all right, title, and interest of the*
17 *United States in and to three tracts of real property, in-*
18 *cluding any improvements thereon, at the Carl Vinson De-*
19 *partment of Veterans Affairs Medical Center, Dublin, Geor-*
20 *gia, consisting of 58 acres, more or less, in Laurens County,*
21 *Georgia.*

22 (c) *CONDITIONS ON CONVEYANCE.—The conveyance*

23 *under subsection (a) shall be subject to the condition that*
24 *the real property conveyed under that subsection be used*
25 *in perpetuity solely for education purposes. The conveyance*
26 *under subsection (b) shall be subject to the condition that*

1 *the real property conveyed under that subsection be used*
 2 *in perpetuity solely for education and health care purposes.*

3 (d) *SURVEY.*—*The exact acreage and legal description*
 4 *of the real property to be conveyed under this section shall*
 5 *be determined by a survey or surveys satisfactory to the*
 6 *Secretary of Veterans Affairs. The cost of any such survey*
 7 *shall not be borne by the Secretary.*

8 (e) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 9 *retary of Veterans Affairs may require such additional*
 10 *terms and conditions in connection with the conveyances*
 11 *under this section as the Secretary considers appropriate*
 12 *to protect the interests of the United States.*

13 **SEC. 245. LAND CONVEYANCE, MILES CITY DEPARTMENT OF**
 14 **VETERANS AFFAIRS MEDICAL CENTER COM-**
 15 **PLEX, MILES CITY, MONTANA.**

16 (a) *CONVEYANCE REQUIRED.*—*The Secretary of Vet-*
 17 *erans Affairs shall convey, without consideration, to Custer*
 18 *County, Montana (in this section referred to as the “Coun-*
 19 *ty”), all right, title, and interest of the United States in*
 20 *and to the parcels of real property consisting of the Miles*
 21 *City Department of Veterans Affairs Medical Center com-*
 22 *plex, which has served as a medical and support complex*
 23 *for the Department of Veterans Affairs in Miles City, Mon-*
 24 *tana.*

1 (b) *TIMING OF CONVEYANCE.*—*The conveyance re-*
2 *quired by subsection (a) shall be made as soon as prac-*
3 *ticable after the date of the enactment of this Act.*

4 (c) *CONDITIONS OF CONVEYANCE.*—*The conveyance re-*
5 *quired by subsection (a) shall be subject to the condition*
6 *that the County—*

7 (1) *use the parcels conveyed, whether directly or*
8 *through an agreement with a public or private entity,*
9 *for veterans activities, community and economic de-*
10 *velopment, or such other public purposes as the Coun-*
11 *ty considers appropriate; or*

12 (2) *convey the parcels to an appropriate public*
13 *or private entity for use for the purposes specified in*
14 *paragraph (1).*

15 (d) *CONVEYANCE OF IMPROVEMENTS.*—(1) *As part of*
16 *the conveyance required by subsection (a), the Secretary*
17 *may also convey to the County any improvements, equip-*
18 *ment, fixtures, and other personal property located on the*
19 *parcels conveyed under that subsection that are not required*
20 *by the Secretary.*

21 (2) *Any conveyance under this subsection shall be*
22 *without consideration.*

23 (e) *USE PENDING CONVEYANCE.*—*Until such time as*
24 *the real property to be conveyed under subsection (a) is con-*
25 *veyed by deed under this section, the Secretary may con-*

1 *tinue to lease the real property, together with any improve-*
2 *ments thereon, under the terms and conditions of the cur-*
3 *rent lease of the real property.*

4 (f) *MAINTENANCE PENDING CONVEYANCE.*—*The Sec-*
5 *retary shall be responsible for maintaining the real prop-*
6 *erty to be conveyed under subsection (a), and any improve-*
7 *ments, equipment, fixtures, and other personal property to*
8 *be conveyed under subsection (d), in its condition as of the*
9 *date of the enactment of this Act until such time as the*
10 *real property, and such improvements, equipment, fixtures,*
11 *and other personal property are conveyed by deed under*
12 *this section.*

13 (g) *LEGAL DESCRIPTION.*—*The exact acreage and legal*
14 *description of the real property to be conveyed under sub-*
15 *section (a) shall be determined by a survey satisfactory to*
16 *the Secretary.*

17 (h) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
18 *retary may require such additional terms and conditions*
19 *in connection with the conveyance under this section as the*
20 *Secretary determines appropriate to protect the interests of*
21 *the United States.*

1 **SEC. 246. CONVEYANCE OF FORT LYON DEPARTMENT OF**
2 **VETERANS AFFAIRS MEDICAL CENTER, COLO-**
3 **RADO, TO THE STATE OF COLORADO.**

4 (a) *CONVEYANCE AUTHORIZED.*—*The Secretary of Vet-*
5 *erans Affairs may convey, without consideration, to the*
6 *State of Colorado all right, title, and interest of the United*
7 *States in and to a parcel of real property, including im-*
8 *provements thereon, consisting of approximately 512 acres*
9 *and comprising the Fort Lyon Department of Veterans Af-*
10 *fairs Medical Center. The purpose of the conveyance is to*
11 *permit the State of Colorado to use the property for pur-*
12 *poses of a correctional facility.*

13 (b) *PUBLIC ACCESS.*—(1) *The Secretary may not make*
14 *the conveyance of real property authorized by subsection (a)*
15 *unless the State of Colorado agrees to provide appropriate*
16 *public access to Kit Carson Chapel (located on that real*
17 *property) and the cemetery located adjacent to that real*
18 *property.*

19 (2) *The State of Colorado may satisfy the condition*
20 *specified in paragraph (1) with respect to Kit Carson Chap-*
21 *el by relocating the chapel to Fort Lyon National Cemetery,*
22 *Colorado, or another appropriate location approved by the*
23 *Secretary.*

24 (c) *PLAN REGARDING CONVEYANCE.*—(1) *The Sec-*
25 *retary may not make the conveyance authorized by sub-*

1 *section (a) before the date on which the Secretary imple-*
2 *ments a plan providing the following:*

3 (A) *Notwithstanding sections 1720(a)(3) and*
4 *1741 of title 38, United States Code, that veterans*
5 *who are receiving inpatient or institutional long-term*
6 *care at Fort Lyon Department of Veterans Affairs*
7 *Medical Center as of the date of the enactment of this*
8 *Act are provided appropriate inpatient or institu-*
9 *tional long-term care under the same terms and con-*
10 *ditions as such veterans are receiving inpatient or in-*
11 *stitutional long-term care as of that date.*

12 (B) *That the conveyance of the Fort Lyon De-*
13 *partment of Veterans Affairs Medical Center does not*
14 *result in a reduction of health care services available*
15 *to veterans in the catchment area of the Medical Cen-*
16 *ter.*

17 (C) *Improvements in veterans' overall access to*
18 *health care in the catchment area through, for exam-*
19 *ple, the opening of additional outpatient clinics.*

20 (2) *The Secretary shall prepare the plan referred to*
21 *in paragraph (1) in consultation with appropriate rep-*
22 *resentatives of veterans service organizations and other ap-*
23 *propriate organizations.*

1 (3) *The Secretary shall publish a copy of the plan re-*
2 *ferred to in paragraph (1) before implementation of the*
3 *plan.*

4 (d) *ENVIRONMENTAL RESTORATION.*—*The Secretary*
5 *may not make the conveyance authorized by subsection (a)*
6 *until the Secretary completes the evaluation and perform-*
7 *ance of any environmental restoration activities required*
8 *by the Comprehensive Environmental Response, Compensa-*
9 *tion, and Liability Act of 1980 (42 U.S.C. 9601 et seq.),*
10 *and by any other provision of law.*

11 (e) *PERSONAL PROPERTY.*—*As part of the conveyance*
12 *authorized by subsection (a), the Secretary may convey,*
13 *without consideration, to the State of Colorado any fur-*
14 *niture, fixtures, equipment, and other personal property as-*
15 *sociated with the property conveyed under that subsection*
16 *that the Secretary determines is not required for purposes*
17 *of the Department of Veterans Affairs health care facilities*
18 *to be established by the Secretary in southern Colorado or*
19 *for purposes of Fort Lyon National Cemetery.*

20 (f) *LEGAL DESCRIPTION.*—*The exact acreage and legal*
21 *description of the real property to be conveyed under sub-*
22 *section (a) shall be determined by a survey satisfactory to*
23 *the Secretary. Any costs associated with the survey shall*
24 *be borne by the State of Colorado.*

1 (g) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 2 *retary may require such other terms and conditions in con-*
 3 *nection with the conveyances authorized by subsections (a)*
 4 *and (e) as the Secretary considers appropriate to protect*
 5 *the interests of the United States.*

6 **SEC. 247. EFFECT OF CLOSURE OF FORT LYON DEPART-**
 7 **MENT OF VETERANS AFFAIRS MEDICAL CEN-**
 8 **TER ON ADMINISTRATION OF HEALTH CARE**
 9 **FOR VETERANS.**

10 (a) *PAYMENT FOR NURSING HOME CARE.*—*Notwith-*
 11 *standing any limitation under section 1720 or 1741 of title*
 12 *38, United States Code, the Secretary of Veterans Affairs*
 13 *may pay the State of Colorado, or any private nursing*
 14 *home care facility, for costs incurred in providing nursing*
 15 *home care to any veteran who is relocated from the Fort*
 16 *Lyon Department of Veterans Affairs Medical Center, Colo-*
 17 *rado, to a facility of the State of Colorado or such private*
 18 *facility, as the case may be, as a result of the closure of*
 19 *the Fort Lyon Department of Veterans Affairs Medical Cen-*
 20 *ter.*

21 (b) *OBLIGATION TO PROVIDE EXTENDED CARE SERV-*
 22 *ICES.*—*Nothing in section 246 or this section may be con-*
 23 *strued to alter or otherwise affect the obligation of the Sec-*
 24 *retary to meet the requirements of section 1710B(b) of title*

1 38, *United States Code*, relating to staffing and levels of
2 extended care services in fiscal years after fiscal year 1998.

3 (c) *REPORT ON VETERANS HEALTH CARE IN SOUTH-*
4 *ERN COLORADO.*—Not later than one year after the convey-
5 ance, if any, authorized by section 246, the Under Secretary
6 for Health of the Department of Veterans Affairs, acting
7 through the Director of Veterans Integrated Service Network
8 (VISN) 19, shall submit to the Committees on Veterans' Af-
9 fairs of the Senate and the House of Representatives a re-
10 port on the status of the health care system for veterans
11 under that Network in southern Colorado. The report shall
12 describe any improvements to the system in southern Colo-
13 rado that have been put into effect in the period beginning
14 on the date of the conveyance and ending on the date of
15 the report.

1 **TITLE III—COMPENSATION, IN-**
 2 **SURANCE, HOUSING, EMPLOY-**
 3 **MENT, AND MEMORIAL AF-**
 4 **FAIRS PROVISIONS**
 5 **Subtitle A—Compensation Program**
 6 **Changes**

7 **SEC. 301. STROKES AND HEART ATTACKS INCURRED OR AG-**
 8 **GRAVATED BY MEMBERS OF RESERVE COM-**
 9 **PONENTS IN THE PERFORMANCE OF DUTY**
 10 **WHILE PERFORMING INACTIVE DUTY TRAIN-**
 11 **ING TO BE CONSIDERED TO BE SERVICE-CON-**
 12 **NECTED.**

13 (a) SCOPE OF TERM “ACTIVE MILITARY, NAVAL, OR
 14 AIR SERVICE”.—Section 101(24) is amended to read as fol-
 15 lows:

16 “(24) The term ‘active military, naval, or air service’
 17 includes—

18 “(A) active duty;

19 “(B) any period of active duty for training dur-
 20 ing which the individual concerned was disabled or
 21 died from a disease or injury incurred or aggravated
 22 in line of duty; and

23 “(C) any period of inactive duty training during
 24 which the individual concerned was disabled or
 25 died—

1 “(i) from an injury incurred or aggravated
2 in line of duty; or

3 “(ii) from an acute myocardial infarction,
4 a cardiac arrest, or a cerebrovascular accident
5 occurring during such training.”.

6 (b) *TRAVEL TO OR FROM TRAINING DUTY*.—Section
7 106(d) is amended—

8 (1) by inserting “(1)” after “(d)”;

9 (2) by redesignating paragraphs (1) and (2) as
10 subparagraphs (A) and (B), respectively;

11 (3) by inserting “or covered disease” after “in-
12 jury” each place it appears;

13 (4) by designating the second sentence as para-
14 graph (2);

15 (5) by designating the third sentence as para-
16 graph (3); and

17 (6) by adding at the end the following new para-
18 graph:

19 “(4) For purposes of this subsection, the term ‘covered
20 disease’ means any of the following:

21 “(A) Acute myocardial infarction.

22 “(B) A cardiac arrest.

23 “(C) A cerebrovascular accident.”.

1 **SEC. 302. SPECIAL MONTHLY COMPENSATION FOR WOMEN**
 2 **VETERANS WHO LOSE A BREAST AS A RESULT**
 3 **OF A SERVICE-CONNECTED DISABILITY.**

4 *Section 1114(k) is amended—*

5 *(1) by striking “or has suffered” and inserting*
 6 *“has suffered”; and*

7 *(2) by inserting after “air and bone conduction,”*
 8 *the following: “or, in the case of a woman veteran,*
 9 *has suffered the anatomical loss of one or both breasts*
 10 *(including loss by mastectomy),”.*

11 **SEC. 303. BENEFITS FOR PERSONS DISABLED BY PARTICI-**
 12 **PATION IN COMPENSATED WORK THERAPY**
 13 **PROGRAM.**

14 *Section 1151(a)(2) is amended—*

15 *(1) by inserting “(A)” after “proximately*
 16 *caused”; and*

17 *(2) by inserting before the period at the end the*
 18 *following: “, or (B) by participation in a program*
 19 *(known as a ‘compensated work therapy program’)*
 20 *under section 1718 of this title”.*

21 **SEC. 304. REVISION TO LIMITATION ON PAYMENTS OF BEN-**
 22 **EFITS TO INCOMPETENT INSTITUTIONALIZED**
 23 **VETERANS.**

24 *Section 5503(b)(1) is amended—*

25 *(1) in subparagraph (A)—*

1 (A) by striking “\$1,500” and inserting “the
2 amount equal to five times the section 1114(j)
3 rate”; and

4 (B) by striking “\$500” and inserting “one-
5 half that amount”; and

6 (2) by adding at the end the following new sub-
7 paragraph:

8 “(D) For purposes of this paragraph, the term ‘section
9 1114(j) rate’ means the monthly rate of compensation in
10 effect under section 1114(j) of this title for a veteran with
11 a service-connected disability rated as total.”.

12 **SEC. 305. REVIEW OF DOSE RECONSTRUCTION PROGRAM**
13 **OF THE DEFENSE THREAT REDUCTION AGEN-**
14 **CY.**

15 (a) *REVIEW BY NATIONAL ACADEMY OF SCIENCES.*—
16 Not later than 30 days after the date of the enactment of
17 this Act, the Secretary of Defense shall enter into a contract
18 with the National Academy of Sciences to carry out peri-
19 odic reviews of the program of the Defense Threat Reduction
20 Agency of the Department of Defense known as the “dose
21 reconstruction program”.

22 (b) *REVIEW ACTIVITIES.*—The periodic reviews of the
23 dose reconstruction program under the contract under sub-
24 section (a) shall consist of the periodic selection of random

1 *samples of doses reconstructed by the Defense Threat Reduc-*
2 *tion Agency in order to determine—*

3 (1) *whether or not the reconstruction of the sam-*
4 *pled doses is accurate;*

5 (2) *whether or not the reconstructed dosage num-*
6 *ber is accurately reported;*

7 (3) *whether or not the assumptions made regard-*
8 *ing radiation exposure based upon the sampled doses*
9 *are credible; and*

10 (4) *whether or not the data from nuclear tests*
11 *used by the Defense Threat Reduction Agency as part*
12 *of the reconstruction of the sampled doses is accurate.*

13 (c) *DURATION OF REVIEW.—The periodic reviews*
14 *under the contract under subsection (a) shall occur over a*
15 *period of 24 months.*

16 (d) *REPORT.—(1) Not later than 60 days after the con-*
17 *clusion of the period referred to in subsection (c), the Na-*
18 *tional Academy of Sciences shall submit to Congress a re-*
19 *port on its activities under the contract under this section.*

20 (2) *The report shall include the following:*

21 (A) *A detailed description of the activities of the*
22 *National Academy of Sciences under the contract.*

23 (B) *Any recommendations that the National*
24 *Academy of Sciences considers appropriate regarding*
25 *a permanent system of review of the dose reconstruc-*

1 *tion program of the Defense Threat Reduction Agen-*
 2 *cy.*

3 ***Subtitle B—Life Insurance Matters***

4 ***SEC. 311. PREMIUMS FOR TERM SERVICE DISABLED VET-***
 5 ***ERANS’ INSURANCE FOR VETERANS OLDER***
 6 ***THAN AGE 70.***

7 *(a) CAP ON PREMIUMS.—Section 1922 is amended by*
 8 *adding at the end the following new subsection:*

9 *“(c) The premium rate of any term insurance issued*
 10 *under this section shall not exceed the renewal age 70 pre-*
 11 *mium rate.”.*

12 *(b) REPORT.—Not later than September 30, 2001, the*
 13 *Secretary of Veterans Affairs shall submit to Congress a re-*
 14 *port setting forth a plan to liquidate the unfunded liability*
 15 *under the life insurance program under section 1922 of title*
 16 *38, United States Code, not later than October 1, 2011.*

17 ***SEC. 312. INCREASE IN AUTOMATIC MAXIMUM COVERAGE***
 18 ***UNDER SERVICEMEMBERS’ GROUP LIFE IN-***
 19 ***SURANCE AND VETERANS’ GROUP LIFE IN-***
 20 ***SURANCE.***

21 *(a) MAXIMUM UNDER SERVICEMEMBERS’ GROUP LIFE*
 22 *INSURANCE.—Section 1967 is amended in subsections (a),*
 23 *(c), and (d) by striking “\$200,000” each place it appears*
 24 *and inserting “\$250,000”.*

1 (b) *MAXIMUM UNDER VETERANS' GROUP LIFE INSUR-*
 2 *ANCE.*—Section 1977(a) is amended by striking “\$200,000”
 3 *each place it appears and inserting “\$250,000”.*

4 (c) *EFFECTIVE DATE.*—The amendments made by this
 5 *section shall take effect on the first day of the first month*
 6 *that begins more than 120 days after the date of the enact-*
 7 *ment of this Act.*

8 **SEC. 313. ELIGIBILITY OF CERTAIN MEMBERS OF THE INDI-**
 9 **VIDUAL READY RESERVE FOR**
 10 **SERVICEMEMBERS' GROUP LIFE INSURANCE.**

11 (a) *ELIGIBILITY.*—Section 1965(5) is amended—

12 (1) *by striking “and” at the end of subpara-*
 13 *graph (B);*

14 (2) *by redesignating subparagraph (C) as sub-*
 15 *paragraph (D); and*

16 (3) *by inserting after subparagraph (B) the fol-*
 17 *lowing new subparagraph (C):*

18 “(C) *a person who volunteers for assign-*
 19 *ment to a mobilization category in the Indi-*
 20 *vidual Ready Reserve, as defined in section*
 21 *12304(i)(1) of title 10; and”.*

22 (b) *CONFORMING AMENDMENTS.*—Sections 1967(a),
 23 1968(a), and 1969(a)(2)(A) are amended by striking “sec-
 24 *tion 1965(5)(B) of this title” each place it appears and in-*

1 *serting “subparagraph (B) or (C) of section 1965(5) of this*
 2 *title”.*

3 ***Subtitle C—Housing and***
 4 ***Employment Programs***

5 ***SEC. 321. ELIMINATION OF REDUCTION IN ASSISTANCE FOR***
 6 ***SPECIALLY ADAPTED HOUSING FOR DIS-***
 7 ***ABLED VETERANS FOR VETERANS HAVING***
 8 ***JOINT OWNERSHIP OF HOUSING UNITS.***

9 *Section 2102 is amended by adding at the end the fol-*
 10 *lowing new subsection:*

11 *“(c) The amount of assistance afforded under sub-*
 12 *section (a) for a veteran authorized assistance by section*
 13 *2101(a) of this title shall not be reduced by reason that title*
 14 *to the housing unit, which is vested in the veteran, is also*
 15 *vested in any other person, if the veteran resides in the*
 16 *housing unit.”.*

17 ***SEC. 322. VETERANS EMPLOYMENT EMPHASIS UNDER FED-***
 18 ***ERAL CONTRACTS FOR RECENTLY SEPA-***
 19 ***RATED VETERANS.***

20 *(a) EMPLOYMENT EMPHASIS.—Subsection (a) of sec-*
 21 *tion 4212 is amended in the first sentence by inserting “re-*
 22 *cently separated veterans,” after “veterans of the Vietnam*
 23 *era,”.*

24 *(b) CONFORMING AMENDMENTS.—Subsection (d)(1) of*
 25 *that section is amended by inserting “recently separated*

1 *veterans,” after “veterans of the Vietnam era,” each place*
 2 *it appears in subparagraphs (A) and (B).*

3 (c) *RECENTLY SEPARATED VETERAN DEFINED.*—Section
 4 *4211 is amended by adding at the end the following*
 5 *new paragraph:*

6 “(6) *The term ‘recently separated veteran’ means any*
 7 *veteran during the one-year period beginning on the date*
 8 *of such veteran’s discharge or release from active duty.”.*

9 **SEC. 323. EMPLOYERS REQUIRED TO GRANT LEAVE OF AB-**
 10 **SENCE FOR EMPLOYEES TO PARTICIPATE IN**
 11 **HONOR GUARDS FOR FUNERALS OF VET-**
 12 **ERANS.**

13 (a) *DEFINITION OF SERVICE IN THE UNIFORMED*
 14 *SERVICES.*—Section 4303(13) is amended—

15 (1) *by striking “and” after “National Guard*
 16 *duty”;* and

17 (2) *by inserting before the period at the end “,*
 18 *and a period for which a person is absent from em-*
 19 *ployment for the purpose of performing funeral hon-*
 20 *ors duty as authorized by section 12503 of title 10 or*
 21 *section 115 of title 32.”.*

22 (b) *REQUIRED LEAVE OF ABSENCE.*—Section 4316 is
 23 *amended by adding at the end the following new subsection:*

24 “(e)(1) *An employer shall grant an employee who is*
 25 *a member of a reserve component an authorized leave of*

1 *absence from a position of employment to allow that em-*
 2 *ployee to perform funeral honors duty as authorized by sec-*
 3 *tion 12503 of title 10 or section 115 of title 32.*

4 “(2) *For purposes of section 4312(e)(1) of this title,*
 5 *an employee who takes an authorized leave of absence under*
 6 *paragraph (1) is deemed to have notified the employer of*
 7 *the employee’s intent to return to such position of employ-*
 8 *ment.”.*

9 (c) *EFFECTIVE DATE.*—*The amendments made by sub-*
 10 *sections (a) and (b) shall take effect 180 days after the date*
 11 *of the enactment of this Act.*

12 ***Subtitle D—Cemeteries and***
 13 ***Memorial Affairs***

14 ***SEC. 331. ELIGIBILITY FOR INTERMENT OF CERTAIN FILI-***
 15 ***PINO VETERANS OF WORLD WAR II IN NA-***
 16 ***TIONAL CEMETERIES.***

17 (a) *ELIGIBILITY OF CERTAIN COMMONWEALTH ARMY*
 18 *VETERANS.*—*Section 2402 is amended by adding at the end*
 19 *the following new paragraph:*

20 “(8) *Any individual whose service is described in*
 21 *section 107(a) of this title if such individual at the*
 22 *time of death—*

23 “(A) *was a citizen of the United States or*
 24 *an alien lawfully admitted for permanent resi-*
 25 *dence in the United States; and*

1 “(B) resided in the United States.”.

2 (b) *CONFORMING AMENDMENT.*—Section 107(a)(3) is
3 amended to read as follows:

4 “(3) chapters 11, 13 (except section 1312(a)), 23,
5 and 24 (to the extent provided for in section 2402(8))
6 of this title.”.

7 (c) *APPLICABILITY.*—The amendments made by this
8 section shall apply with respect to deaths occurring on or
9 after the date of the enactment of this Act.

10 **SEC. 332. PAYMENT RATE OF CERTAIN BURIAL BENEFITS**

11 **FOR CERTAIN FILIPINO VETERANS OF WORLD**

12 **WAR II.**

13 (a) *PAYMENT RATE.*—Section 107 is amended—

14 (1) in subsection (a), by striking “Payments”
15 and inserting “Subject to subsection (c), payments”;
16 and

17 (2) by adding at the end the following new sec-
18 tion:

19 “(c)(1) In the case of an individual described in para-
20 graph (2), the second sentence of subsection (a) shall not
21 apply.

22 “(2) Paragraph (1) applies to any individual whose
23 service is described in subsection (a) and who dies after the
24 date of the enactment of this subsection if the individual,
25 on the individual’s date of death—

1 (b) *EFFECTIVE DATE.*—The amendment made by sub-
 2 section (a) shall apply with respect to the burial of persons
 3 dying on or after the date of the enactment of this Act.

4 **TITLE IV—OTHER MATTERS**

5 **SEC. 401. BENEFITS FOR THE CHILDREN OF WOMEN VIET-** 6 **NAM VETERANS WHO SUFFER FROM CERTAIN** 7 **BIRTH DEFECTS.**

8 (a) *IN GENERAL.*—Chapter 18 is amended by adding
 9 at the end the following new subchapter:

10 “SUBCHAPTER II—CHILDREN OF WOMEN VIET-

11 NAM VETERANS BORN WITH CERTAIN BIRTH

12 DEFECTS

13 “§ 1811. *Definitions*

14 “*In this subchapter:*

15 “(1) The term ‘eligible child’ means an indi-
 16 vidual who—

17 “(A) is the child (as defined in section
 18 1821(1) of this title) of a woman Vietnam vet-
 19 eran; and

20 “(B) was born with one or more covered
 21 birth defects.

22 “(2) The term ‘covered birth defect’ means a
 23 birth defect identified by the Secretary under section
 24 1812 of this title.

1 **“§ 1812. Covered birth defects**

2 “(a) *IDENTIFICATION.*—*The Secretary shall identify*
3 *the birth defects of children of women Vietnam veterans*
4 *that—*

5 “(1) *are associated with the service of those vet-*
6 *erans in the Republic of Vietnam during the Vietnam*
7 *era; and*

8 “(2) *result in permanent physical or mental dis-*
9 *ability.*

10 “(b) *LIMITATIONS.*—(1) *The birth defects identified*
11 *under subsection (a) may not include birth defects resulting*
12 *from the following:*

13 “(A) *A familial disorder.*

14 “(B) *A birth-related injury.*

15 “(C) *A fetal or neonatal infirmity with well-es-*
16 *tablished causes.*

17 “(2) *In any case where affirmative evidence establishes*
18 *that a covered birth defect of a child of a woman Vietnam*
19 *veteran results from a cause other than the active military,*
20 *naval, or air service of that veteran in the Republic of Viet-*
21 *nam during the Vietnam era, no benefits or assistance may*
22 *be provided the child under this subchapter.*

23 **“§ 1813. Health care**

24 “(a) *NEEDED CARE.*—*The Secretary shall provide an*
25 *eligible child such health care as the Secretary determines*

1 *is needed by the child for that child's covered birth defects*
 2 *or any disability that is associated with those birth defects.*

3 “(b) *AUTHORITY FOR CARE TO BE PROVIDED DI-*
 4 *RECTLY OR BY CONTRACT.—The Secretary may provide*
 5 *health care under this section directly or by contract or*
 6 *other arrangement with a health care provider.*

7 “(c) *DEFINITIONS.—For purposes of this section, the*
 8 *definitions in section 1803(c) of this title shall apply with*
 9 *respect to the provision of health care under this section,*
 10 *except that for such purposes—*

11 “(1) *the reference to ‘specialized spina bifida*
 12 *clinic’ in paragraph (2) of that section shall be treat-*
 13 *ed as a reference to a specialized clinic treating the*
 14 *birth defect concerned under this section; and*

15 “(2) *the reference to ‘vocational training under*
 16 *section 1804 of this title’ in paragraph (8) of that sec-*
 17 *tion shall be treated as a reference to vocational*
 18 *training under section 1814 of this title.*

19 **“§ 1814. Vocational training**

20 “(a) *AUTHORITY.—The Secretary may provide a pro-*
 21 *gram of vocational training to an eligible child if the Sec-*
 22 *retary determines that the achievement of a vocational goal*
 23 *by the child is reasonably feasible.*

24 “(b) *APPLICABLE PROVISIONS.—Subsections (b)*
 25 *through (e) of section 1804 of this title shall apply with*

1 *respect to any program of vocational training provided*
2 *under subsection (a).*

3 **“§ 1815. Monetary allowance**

4 “(a) *MONETARY ALLOWANCE.*—*The Secretary shall*
5 *pay a monthly allowance to any eligible child for any dis-*
6 *ability resulting from the covered birth defects of that child.*

7 “(b) *SCHEDULE FOR RATING DISABILITIES.*—(1) *The*
8 *amount of the monthly allowance paid under this section*
9 *shall be based on the degree of disability suffered by the*
10 *child concerned, as determined in accordance with a sched-*
11 *ule for rating disabilities resulting from covered birth de-*
12 *fects that is prescribed by the Secretary.*

13 “(2) *In prescribing a schedule for rating disabilities*
14 *for the purposes of this section, the Secretary shall establish*
15 *four levels of disability upon which the amount of the allow-*
16 *ance provided by this section shall be based. The levels of*
17 *disability established may take into account functional lim-*
18 *itations, including limitations on cognition, communica-*
19 *tion, motor abilities, activities of daily living, and employ-*
20 *ability.*

21 “(c) *AMOUNT OF MONTHLY ALLOWANCE.*—*The amount*
22 *of the monthly allowance paid under this section shall be*
23 *as follows:*

1 “(1) *In the case of a child suffering from the low-*
2 *est level of disability prescribed in the schedule for*
3 *rating disabilities under subsection (b), \$100.*

4 “(2) *In the case of a child suffering from the*
5 *lower intermediate level of disability prescribed in the*
6 *schedule for rating disabilities under subsection (b),*
7 *the greater of—*

8 “(A) \$214; or

9 “(B) *the monthly amount payable under*
10 *section 1805(b)(3) of this title for the lowest level*
11 *of disability prescribed for purposes of that sec-*
12 *tion.*

13 “(3) *In the case of a child suffering from the*
14 *higher intermediate level of disability prescribed in*
15 *the schedule for rating disabilities under subsection*
16 *(b), the greater of—*

17 “(A) \$743; or

18 “(B) *the monthly amount payable under*
19 *section 1805(b)(3) of this title for the inter-*
20 *mediate level of disability prescribed for purposes*
21 *of that section.*

22 “(4) *In the case of a child suffering from the*
23 *highest level of disability prescribed in the schedule*
24 *for rating disabilities under subsection (b), the greater*
25 *of—*

1 “(A) \$1,272; or

2 “(B) *the monthly amount payable under*
3 *section 1805(b)(3) of this title for the highest*
4 *level of disability prescribed for purposes of that*
5 *section.*

6 “(d) *INDEXING TO SOCIAL SECURITY BENEFIT IN-*
7 *CREASES.—Amounts under paragraphs (1), (2)(A), (3)(A),*
8 *and (4)(A) of subsection (c) shall be subject to adjustment*
9 *from time to time under section 5312 of this title.*

10 **“§ 1816. Regulations**

11 *“The Secretary shall prescribe regulations for purposes*
12 *of the administration of this subchapter.”.*

13 (b) *CONSOLIDATION OF PROVISIONS APPLICABLE TO*
14 *BOTH SUBCHAPTERS.—Chapter 18 is further amended by*
15 *adding after subchapter II, as added by subsection (a), the*
16 *following new subchapter:*

17 “*SUBCHAPTER III—GENERAL PROVISIONS*

18 **“§ 1821. Definitions**

19 *“In this chapter:*

20 “(1) *The term ‘child’ means an individual, re-*
21 *gardless of age or marital status, who—*

22 “(A) *is the natural child of a Vietnam vet-*
23 *eran; and*

1 “(B) was conceived after the date on which
2 that veteran first entered the Republic of Viet-
3 nam during the Vietnam era.

4 “(2) The term ‘Vietnam veteran’ means an indi-
5 vidual who performed active military, naval, or air
6 service in the Republic of Vietnam during the Viet-
7 nam era, without regard to the characterization of
8 that individual’s service.

9 “(3) The term ‘Vietnam era’ with respect to—

10 “(A) subchapter I of this chapter, means the
11 period beginning on January 9, 1962, and end-
12 ing on May 7, 1975; and

13 “(B) subchapter II of this chapter, means
14 the period beginning on February 28, 1961, and
15 ending on May 7, 1975.

16 **“§ 1822. Applicability of certain administrative provi-**
17 **sions**

18 “(a) *APPLICABILITY OF CERTAIN PROVISIONS RELAT-*
19 *ING TO COMPENSATION.*—The provisions of this title speci-
20 *fied in subsection (b) apply with respect to benefits and as-*
21 *sistance under this chapter in the same manner as those*
22 *provisions apply to compensation paid under chapter 11*
23 *of this title.*

24 “(b) *SPECIFIED PROVISIONS.*—The provisions of this
25 *title referred to in subsection (a) are the following:*

1 “(1) Section 5101(c).

2 “(2) Subsections (a), (b)(2), (g), and (i) of sec-
3 tion 5110.

4 “(3) Section 5111.

5 “(4) Subsection (a) and paragraphs (1), (6), (9),
6 and (10) of subsection (b) of section 5112.

7 **“§1823. Treatment of receipt of monetary allowance**
8 **and other benefits**

9 “(a) COORDINATION WITH OTHER BENEFITS PAID TO
10 THE RECIPIENT.—Notwithstanding any other provision of
11 law, receipt by an individual of a monetary allowance
12 under this chapter shall not impair, infringe, or otherwise
13 affect the right of the individual to receive any other benefit
14 to which the individual is otherwise entitled under any law
15 administered by the Secretary.

16 “(b) COORDINATION WITH BENEFITS BASED ON RELA-
17 TIONSHIP OF RECIPIENTS.—Notwithstanding any other
18 provision of law, receipt by an individual of a monetary
19 allowance under this chapter shall not impair, infringe, or
20 otherwise affect the right of any other individual to receive
21 any benefit to which such other individual is entitled under
22 any law administered by the Secretary based on the rela-
23 tionship of such other individual to the individual who re-
24 ceives such monetary allowance.

1 “(c) *MONETARY ALLOWANCE NOT TO BE CONSIDERED*
 2 *AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.*—
 3 *Notwithstanding any other provision of law, a monetary*
 4 *allowance paid an individual under this chapter shall not*
 5 *be considered as income or resources in determining eligi-*
 6 *bility for, or the amount of benefits under, any Federal or*
 7 *federally assisted program.*

8 “**§ 1824. Nonduplication of benefits**

9 “(a) *MONETARY ALLOWANCE.*—*In the case of an eligi-*
 10 *ble child under subchapter II of this chapter whose only*
 11 *covered birth defect is spina bifida, a monetary allowance*
 12 *shall be paid under subchapter I of this chapter. In the case*
 13 *of an eligible child under subchapter II of this chapter who*
 14 *has spina bifida and one or more additional covered birth*
 15 *defects, a monetary allowance shall be paid under sub-*
 16 *chapter II of this chapter.*

17 “(b) *VOCATIONAL REHABILITATION.*—*An individual*
 18 *may only be provided one program of vocational training*
 19 *under this chapter.”.*

20 “(c) *REPEAL OF RECODIFIED PROVISIONS.*—*The fol-*
 21 *lowing provisions are repealed:*

22 (1) *Section 1801.*

23 (2) *Subsections (c) and (d) of section 1805.*

24 (3) *Section 1806.*

1 (d) *DESIGNATION OF SUBCHAPTER I.*—Chapter 18 is
 2 further amended by inserting before section 1802 the fol-
 3 lowing:

4 “*SUBCHAPTER I—CHILDREN OF VIETNAM*
 5 *VETERANS BORN WITH SPINA BIFIDA*”.

6 (e) *CONFORMING AMENDMENTS.*—(1) Section 1802 is
 7 amended by striking “this chapter” and inserting “this sub-
 8 chapter”.

9 (2) Section 1805(a) is amended by striking “this chap-
 10 ter” and inserting “this section”.

11 (f) *CLERICAL AMENDMENTS.*—(1) The chapter heading
 12 of chapter 18 is amended to read as follows:

13 “**CHAPTER 18—BENEFITS FOR CHILDREN**
 14 **OF VIETNAM VETERANS**”.

15 (2) The tables of chapters before part I, and at the be-
 16 ginning of part II, are each amended by striking the item
 17 relating to chapter 18 and inserting the following new item:

“18. Benefits for Children of Vietnam Veterans 1802”.

18 (3) The table of sections at the beginning of chapter
 19 18 is amended—

20 (A) by inserting at the beginning the following:

“*SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH*
SPINA BIFIDA”;

21 (B) by striking the items relating to sections
 22 1801 and 1806; and

23 (C) by adding at the end the following:

“SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS
BORN WITH CERTAIN BIRTH DEFECTS

- “1811. Definitions.
- “1812. Covered birth defects.
- “1813. Health care.
- “1814. Vocational training.
- “1815. Monetary allowance.
- “1816. Regulations.

“SUBCHAPTER III—GENERAL PROVISIONS

- “1821. Definitions.
- “1822. Applicability of certain administrative provisions.
- “1823. Treatment of receipt of monetary allowance and other benefits.
- “1824. Nonduplication of benefits.”.

1 (g) *EFFECTIVE DATE.*—(1) *Except as provided in*
2 *paragraph (2), the amendments made by this section shall*
3 *take effect on the first day of the first month beginning more*
4 *than one year after the date of the enactment of this Act.*

5 (2) *The Secretary of Veterans Affairs shall identify*
6 *birth defects under section 1812 of title 38, United States*
7 *Code (as added by subsection (a) of this section), and shall*
8 *prescribe the regulations required by subchapter II of chap-*
9 *ter 18 of that title (as so added), not later than the effective*
10 *date specified in paragraph (1).*

11 **SEC. 402. EXTENSION OF CERTAIN EXPIRING AUTHORITIES.**

12 (a) *ENHANCED LOAN ASSET SALE AUTHORITY.*—*Sec-*
13 *tion 3720(h)(2) is amended by striking “December 31,*
14 *2002” and inserting “December 31, 2008”.*

15 (b) *HOME LOAN FEES.*—*Section 3729 is amended by*
16 *striking everything after the section heading and inserting*
17 *the following:*

1 “(a) *REQUIREMENT OF FEE.*—(1) *Except as provided*
 2 *in subsection (c), a fee shall be collected from each person*
 3 *obtaining a housing loan guaranteed, insured, or made*
 4 *under this chapter, and each person assuming a loan to*
 5 *which section 3714 of this title applies. No such loan may*
 6 *be guaranteed, insured, made, or assumed until the fee pay-*
 7 *able under this section has been remitted to the Secretary.*

8 “(2) *The fee may be included in the loan and paid*
 9 *from the proceeds thereof.*

10 “(b) *DETERMINATION OF FEE.*—(1) *The amount of the*
 11 *fee shall be determined from the loan fee table in paragraph*
 12 *(2). The fee is expressed as a percentage of the total amount*
 13 *of the loan guaranteed, insured, or made, or, in the case*
 14 *of a loan assumption, the unpaid principal balance of the*
 15 *loan on the date of the transfer of the property.*

16 “(2) *The loan fee table referred to in paragraph (1)*
 17 *is as follows:*

“LOAN FEE TABLE

<i>Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obligor</i>
<i>(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before October 1, 2008)</i>	2.00	2.75	NA
<i>(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2008)</i>	1.25	2.00	NA

“LOAN FEE TABLE—Continued

<i>Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obligor</i>
<i>(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before October 1, 2008)</i>	3.00	3.00	NA
<i>(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2008)</i>	1.25	2.00	NA
<i>(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2008)</i>	1.50	2.25	NA
<i>(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2008)</i>	.75	1.50	NA
<i>(D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2008)</i>	1.25	2.00	NA
<i>(D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2008)</i>	.50	1.25	NA
<i>(E) Interest rate reduction refinancing loan</i>	0.50	0.50	NA
<i>(F) Direct loan under section 3711</i>	1.00	1.00	NA
<i>(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)</i>	1.00	1.00	NA
<i>(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)</i>	1.25	1.25	NA
<i>(I) Loan assumption under section 3714</i>	0.50	0.50	0.50
<i>(J) Loan under section 3733(a)</i>	2.25	2.25	2.25”.

1 “(3) Any reference to a section in the ‘Type of loan’
2 column in the loan fee table in paragraph (2) refers to a
3 section of this title.

4 “(4) For the purposes of paragraph (2):

1 “(A) *The term ‘active duty veteran’ means any*
2 *veteran eligible for the benefits of this chapter other*
3 *than a Reservist.*

4 “(B) *The term ‘Reservist’ means a veteran de-*
5 *scribed in section 3701(b)(5)(A) of this title.*

6 “(C) *The term ‘other obligor’ means a person*
7 *who is not a veteran, as defined in section 101 of this*
8 *title or other provision of this chapter.*

9 “(D) *The term ‘initial loan’ means a loan to a*
10 *veteran guaranteed under section 3710 or made under*
11 *section 3711 of this title if the veteran has never ob-*
12 *tained a loan guaranteed under section 3710 or made*
13 *under section 3711 of this title.*

14 “(E) *The term ‘subsequent loan’ means a loan to*
15 *a veteran, other than an interest rate reduction refi-*
16 *nancing loan, guaranteed under section 3710 or made*
17 *under section 3711 of this title if the veteran has pre-*
18 *viously obtained a loan guaranteed under section*
19 *3710 or made under section 3711 of this title.*

20 “(F) *The term ‘interest rate reduction refi-*
21 *nancing loan’ means a loan described in section*
22 *3710(a)(8), 3710(a)(9)(B)(i), 3710(a)(11),*
23 *3712(a)(1)(F), or 3762(h) of this title.*

1 “(G) *The term ‘0-down’ means a downpayment,*
2 *if any, of less than 5 percent of the total purchase*
3 *price or construction cost of the dwelling.*

4 “(H) *The term ‘5-down’ means a downpayment*
5 *of at least 5 percent or more, but less than 10 percent,*
6 *of the total purchase price or construction cost of the*
7 *dwelling.*

8 “(I) *The term ‘10-down’ means a downpayment*
9 *of 10 percent or more of the total purchase price or*
10 *construction cost of the dwelling.*

11 “(c) *WAIVER OF FEE.—A fee may not be collected*
12 *under this section from a veteran who is receiving com-*
13 *ensation (or who, but for the receipt of retirement pay,*
14 *would be entitled to receive compensation) or from a sur-*
15 *iving spouse of any veteran (including a person who died*
16 *in the active military, naval, or air service) who died from*
17 *a service-connected disability.”.*

18 “(c) *PROCEDURES APPLICABLE TO LIQUIDATION SALES*
19 *ON DEFAULTED HOME LOANS GUARANTEED BY THE DE-*
20 *PARTMENT OF VETERANS AFFAIRS.—Section 3732(c)(11) is*
21 *amended by striking “October 1, 2002” and inserting “Oc-*
22 *tober 1, 2008”.*

23 “(d) *INCOME VERIFICATION AUTHORITY.—Section*
24 *5317(g) is amended by striking “September 30, 2002” and*
25 *inserting “September 30, 2008”.*

1 (e) *LIMITATION ON PENSION FOR CERTAIN RECIPI-*
2 *ENTS OF MEDICAID-COVERED NURSING HOME CARE.*—*Sec-*
3 *tion 5503(f)(7) is amended by striking “September 30,*
4 *2002” and inserting “September 30, 2008”.*

5 (f) *ANNUAL REPORT OF COMMITTEE ON MENTALLY*
6 *ILL VETERANS.*—*Section 7321(d)(2) is amended by striking*
7 *“three” and inserting “six”.*

8 (g) *AUTHORITY TO ESTABLISH RESEARCH AND EDU-*
9 *CATION CORPORATIONS.*—*Section 7368 is amended by*
10 *striking “December 31, 2000” and inserting “December 31,*
11 *2003”.*

12 **SEC. 403. PRESERVATION OF CERTAIN REPORTING RE-**
13 **QUIREMENTS.**

14 (a) *INAPPLICABILITY OF PRIOR REPORTS TERMI-*
15 *NATION PROVISION TO CERTAIN REPORTS OF THE DEPART-*
16 *MENT OF VETERANS AFFAIRS.*—*Section 3003(a)(1) of the*
17 *Federal Reports Elimination and Sunset Act of 1995 (31*
18 *U.S.C. 1113 note) does not apply to any report required*
19 *to be submitted under any of the following: sections 503(c),*
20 *529, 541(c), 542(c), 3036, and 7312(d) of title 38, United*
21 *States Code.*

22 (b) *REPEAL OF REPORTING REQUIREMENTS TERMI-*
23 *NATED BY PRIOR LAW.*—*Sections 8111A(f) and 8201(h) are*
24 *repealed.*

1 (c) *SUNSET OF CERTAIN REPORTING REQUIRE-*
2 *MENTS.—*

3 (1) *ANNUAL REPORT ON EQUITABLE RELIEF*
4 *CASES.—Section 503(c) is amended by adding at the*
5 *end the following new sentence: “No report shall be re-*
6 *quired under this subsection after December 31,*
7 *2004.”.*

8 (2) *BIENNIAL REPORT OF ADVISORY COMMITTEE*
9 *ON FORMER PRISONERS OF WAR.—Section 541(c)(1)*
10 *is amended by inserting “through 2003” after “each*
11 *odd-numbered year”.*

12 (3) *BIENNIAL REPORT OF ADVISORY COMMITTEE*
13 *ON WOMEN VETERANS.—Section 542(c)(1) is amended*
14 *by inserting “through 2004” after “each even-num-*
15 *bered year”.*

16 (4) *BIENNIAL REPORTS ON MONTGOMERY GI*
17 *BILL.—Subsection (d) of section 3036 is amended to*
18 *read as follows:*

19 “*(d) No report shall be required under this section*
20 *after January 1, 2005.”.*

21 (5) *ANNUAL REPORT OF SPECIAL MEDICAL ADVI-*
22 *SORY GROUP.—Section 7312(d) is amended by adding*
23 *at the end the following new sentence: “No report*
24 *shall be required under this subsection after December*
25 *31, 2004.”.*

1 (d) *COST INFORMATION TO BE PROVIDED WITH EACH*
 2 *REPORT REQUIRED BY CONGRESS.*—(1)(A) *Chapter 1 is*
 3 *amended by adding at the end the following new section:*

4 **“§ 116. Reports to Congress: cost information**

5 *“Whenever the Secretary submits to Congress, or any*
 6 *committee of Congress, a report that is required by law or*
 7 *by a joint explanatory statement of a committee of con-*
 8 *ference of the Congress, the Secretary shall include with the*
 9 *report—*

10 *“(1) a statement of the cost of preparing the re-*
 11 *port; and*

12 *“(2) a brief explanation of the methodology used*
 13 *in preparing that cost statement.”.*

14 (B) *The table of sections at the beginning of such chap-*
 15 *ter is amended by adding at the end the following new item:*

“116. Reports to Congress: cost information.”.

16 (2) *Section 116 of title 38, United States Code, as*
 17 *added by paragraph (1) of this subsection, shall apply with*
 18 *respect to any report submitted by the Secretary of Veterans*
 19 *Affairs after the end of the 90-day period beginning on the*
 20 *date of the enactment of this Act.*

21 **SEC. 404. TECHNICAL AMENDMENTS.**

22 (a) *TITLE 38.*—*Title 38, United States Code, is*
 23 *amended as follows:*

24 (1) *Section 1116(a)(2)(F) is amended by insert-*
 25 *ing “of disability” after “to a degree”*

1 (2) *Section 1318(b)(3) is amended by striking*
2 *“not later than” and inserting “not less than”.*

3 (3) *Section 1712(a)(4)(A) is amended by striking*
4 *“subsection (a) of this section (other than paragraphs*
5 *(3)(B) and (3)(C) of that subsection)” and inserting*
6 *“this subsection”.*

7 (4) *Section 1720A(c)(1) is amended by striking*
8 *“for such disability” and all that follows through “to*
9 *such member” and inserting “for such disability.*
10 *Care and services provided to a member so trans-*
11 *ferred”.*

12 (5) *Section 2402(7) is amended by striking*
13 *“chapter 67 of title 10” and inserting “chapter 1223*
14 *of title 10”.*

15 (6) *Section 3012(g)(2) is amended by striking*
16 *“subparagraphs” both places it appears and inserting*
17 *“subparagraph”.*

18 (7) *Section 3684(c) is amended by striking “cal-*
19 *ender” and inserting “calendar”.*

20 (8) *The table of sections at the beginning of*
21 *chapter 41 is amended by inserting after the item re-*
22 *lating to section 4110A the following new item:*

“4110B. Coordination and nonduplication.”.

23 (9) *The text of section 4213 is amended to read*
24 *as follows:*

1 “(a) Amounts and periods of time specified in sub-
2 section (b) shall be disregarded in determining eligibility
3 under any of the following:

4 “(1) Any public service employment program.

5 “(2) Any emergency employment program.

6 “(3) Any job training program assisted under
7 the Economic Opportunity Act of 1964.

8 “(4) Any employment or training program car-
9 ried out under title I of the Workforce Investment Act
10 of 1998 (29 U.S.C. 2801 et seq.).

11 “(5) Any other employment or training (or re-
12 lated) program financed in whole or in part with
13 Federal funds.

14 “(b) Subsection (a) applies with respect to the fol-
15 lowing amounts and periods of time:

16 “(1) Any amount received as pay or allowances
17 by any person while serving on active duty.

18 “(2) Any period of time during which such per-
19 son served on active duty.

20 “(3) Any amount received under chapters 11, 13,
21 30, 31, 32, and 36 of this title by an eligible veteran.

22 “(4) Any amount received by an eligible person
23 under chapters 13 and 35 of this title.

24 “(5) Any amount received by an eligible member
25 under chapter 106 of title 10.”.

1 (10) Section 7603(a)(1) is amended by striking
2 “subsection” and inserting “subchapter”.

3 (b) OTHER LAWS.—

4 (1) Effective November 30, 1999, and as if in-
5 cluded therein as originally enacted, section 208(c)(2)
6 of the Veterans Millennium Health Care and Benefits
7 Act (Public Law 106–117; 113 Stat. 1568) is amend-
8 ed by striking “subsection (c)(1)” and inserting “sub-
9 section (c)(3)”.

10 (2) Effective November 21, 1977, and as if in-
11 cluded therein as originally enacted, section 402(e) of
12 the Veterans’ Benefits Act of 1997 (Public Law 105–
13 114; 111 Stat. 2294) is amended by striking “second
14 sentence” and inserting “third sentence”.

Amend the amendment of the House to the title so as to read: “An Act to amend title 38, United States Code, to increase the rates of educational assistance under the Montgomery GI Bill, to improve procedures for the adjustment of rates of pay for nurses employed by the Department of Veterans Affairs, to make other improvements in veterans educational assistance, health care, and benefits programs, and for other purposes.”.

Attest:

Secretary.

106TH CONGRESS
2D SESSION

S. 1402

**SENATE AMENDMENTS TO
HOUSE AMENDMENTS**

S 1402 EAS—2

S 1402 EAS—3

S 1402 EAS—4

S 1402 EAS—5

S 1402 EAS—6

S 1402 EAS—7

S 1402 EAS—8

S 1402 EAS—9

S 1402 EAS—10